

**STAFF REPORT TO: AMADOR COUNTY PLANNING COMMISSION  
FOR MEETING OF: August 9, 2022**

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**ITEM 2 Request for a Use Permit (UP-22;3-2) to allow up to 2 tables in front of the store, 5 tables in the rear, and live music on weekends and holidays in a C1 Retail Commercial and Office zoning district (APN 029-043-007).**

**Applicant:** Tommy Sizemore

**Supervisorial District:** 3

**Location:** 16146 Main St, Volcano, CA 95689

**A. General Plan Designation:** C, Commercial

**B. Present Zoning:** C1, Retail Commercial and Office

**C. Acreage Involved:** 0.14

**D. Description:** The applicant is requesting a use permit to utilize the area in front of, and the area in the rear of the Volcano Country store with outdoor seating and live music. The project proposes year round seating in front of the store for two benches with tabletops that can seat five people each. This would provide outdoor seating for up to ten people total in front of the store. The rear of the store would be used seasonally from April through October, and currently supports five tables with four seats per table, as well as a bench with countertop that can accommodate an additional five patrons. This would make for a total of outdoor seating in the rear for twenty-five patrons. The project also proposes live music on weekends and holidays. This entertainment would typically occur in the afternoon or early evening between the hours of 1:00 p.m. to 7:00 p.m.

**E. TAC Review and Recommendation:** The Amador County Technical Advisory Committee met on April 21, 2022 to review the project for completion and again on June 9, 2022 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 approving Use Permit with the Conditions of Approval included with the Staff Report, along with the adoption of the Negative Declaration.

**G. Planning Commission Action:** The first action before the Planning Commission should be to determine if the proposed Negative Declaration prepared by staff adequately identifies and mitigates the project's potential impacts. Once the Commission makes a decision on the Negative Declaration, a decision on the project and proposed conditions (or as amended) can then be made.

**H. Recommended Findings:**

1. The project, as proposed and conditioned, is consistent with the Amador County General Plan and the "C1" zoning district at this location;

2. The approval of the Use Permit is sanctioned by County Code Section 19.48.040 (District regulations- Generally (C1) and is consistent with County Code Section 19.56 (Use Permits) in that the establishment, maintenance or operation of proposed use will not be detrimental to the health, safety, peace, morals, comfort, and general welfare of the persons residing or working in the neighborhood of such proposed use or be detrimental or injurious to property and improvements in the neighborhood or be detrimental or injurious to property and improvements in the neighborhood or the general welfare of the County.
3. A review of this proposal 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 due to the mitigation measures and conditions incorporated and a Mitigated Negative Declaration will be adopted and filed with the County Recorder.
4. 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.



**PLANNING DEPARTMENT**  
**Community Development Agency**

County Administration Center  
810 Court Street • Jackson, CA 95642-2132  
Telephone: (209) 223-6380  
Website: www.amadorgov.org  
E-mail: planning@amadorgov.org

**APPLICATION PROCEDURE FOR USE PERMIT**

A Public Hearing before the Planning Commission will be scheduled after the following information has been completed and submitted to the Planning Department Office:

1. Complete the following:

Name of Applicant Tommy Sizemore

Mailing Address PO Box 353, Volcano CA 95689  
Sizemore construction@yahoo.com

Phone Number 925-783-2868

Assessor Parcel Number 029-043-007

Use Permit Applied For:

- Private Academic School
- Private Nonprofit Recreational Facility
- Public Building and Use(s)
- Airport, Heliport
- Cemetery
- Radio, Television Transmission Tower
- Club, Lodge, Fraternal Organization
- Dump, Garbage Disposal Site
- Church
- OTHER outdoor dining

2. Attach a letter explaining the purpose and need for the Use Permit.

3. Attach a copy of the deed of the property (can be obtained from the County Recorder's Office).

4. If Applicant is not the property owner, a consent letter must be attached.

5. Assessor Plat Map (can be obtained from the County Surveyor's Office).

6. Plot Plan (no larger than 11" X 17") of parcel showing location of request in relation to property lines, road easements, other structures, etc. (see Plot Plan Guidelines). Larger map(s) or plans may be submitted if a photo reduction is provided for notices, Staff Reports, etc. The need is for easy, mass reproduction.

7. Planning Department Filing Fee: \$ ~~1069.00~~ <sup>213</sup> 1119.00  
Environmental Health Review Fee: \$ ~~70.00~~ No Fee  
Public Works Agency Review Fee: \$ 500.00  
Amador Fire Protection District Fee: \$ 176.00

8. Complete an Environmental Information Form.

9. Sign Indemnification Form.

## **Sizemore Country Store**

16146 Main Street

Volcano, CA 95689

April 1, 2022

Amador County Planning Department

810 Court Street

Jackson, CA 95642

The Sizemore Country Store is a family run general store and diner located in the heart of Volcano. We take pride in providing an inviting, old-fashioned atmosphere where patrons can stop in for a gallon of milk, or stay a while and treat themselves to a burger- all while enjoying the company of community members, employees, and travelers who are passing through. Inside, you're welcomed to the smell of burgers on the grill, but on the weekends, you can smell the inviting aroma of barbeque from a mile away! We hope to expand our seating this year so that patrons are able to enjoy outdoor dining in both our backyard as well as bench seating in front of the store.

We would like to request that we may provide the option of outdoor dining in front of the store year-round. We have two benches with tabletops that can comfortably seat five people each. This would provide outdoor seating for up to ten people total at one time. Not only would this option benefit those who wish to dine outdoors due to the pandemic, but it would allow patrons to enjoy the ambiance of what is downtown Volcano.

In addition, we are requesting to allow for outdoor seating in our backyard seasonally from April through October. We currently have five tables with four seats per table, as well as a bench with countertop that can accommodate an additional five patrons. This would make for a total of outdoor seating in the backyard for twenty-five patrons.

To further add to the energy of our store, we would like to be able to provide live music occasionally on weekends and holidays. We envision a solo artist with a guitar, or a small, local band. This entertainment would typically occur in the afternoon or early evening and last two to three hours.

## **Sizemore Country Store**

16146 Main Street

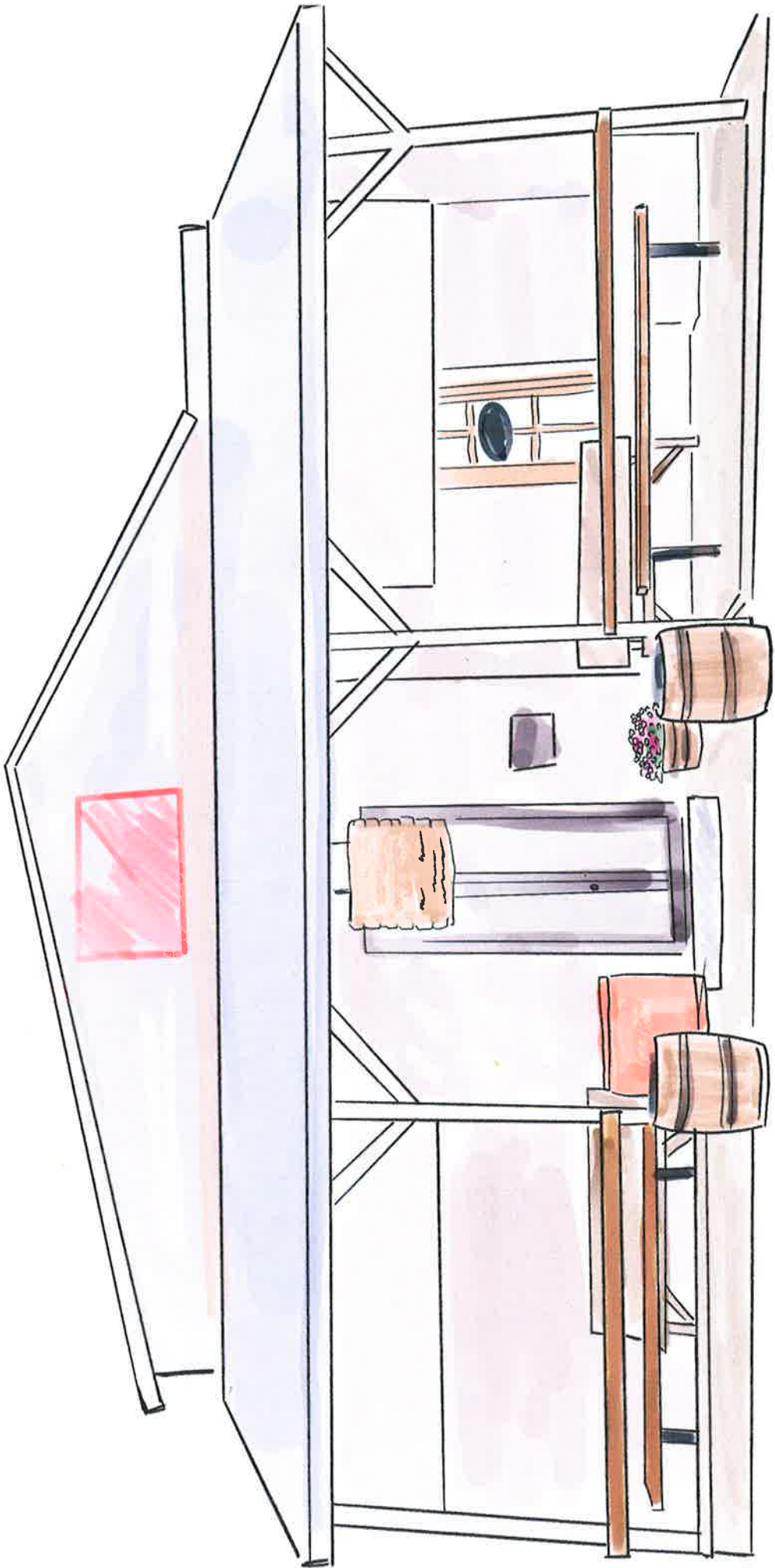
Volcano, CA 95689

At Sizemore Country Store, we value our local community members, as well as those who pass through during their travels. We strive to provide a place for locals to feel at home all while remaining a family friendly destination point for those on a day trip. We look forward to working with the planning department to permit outdoor seating and live music at Sizemore Country Store.

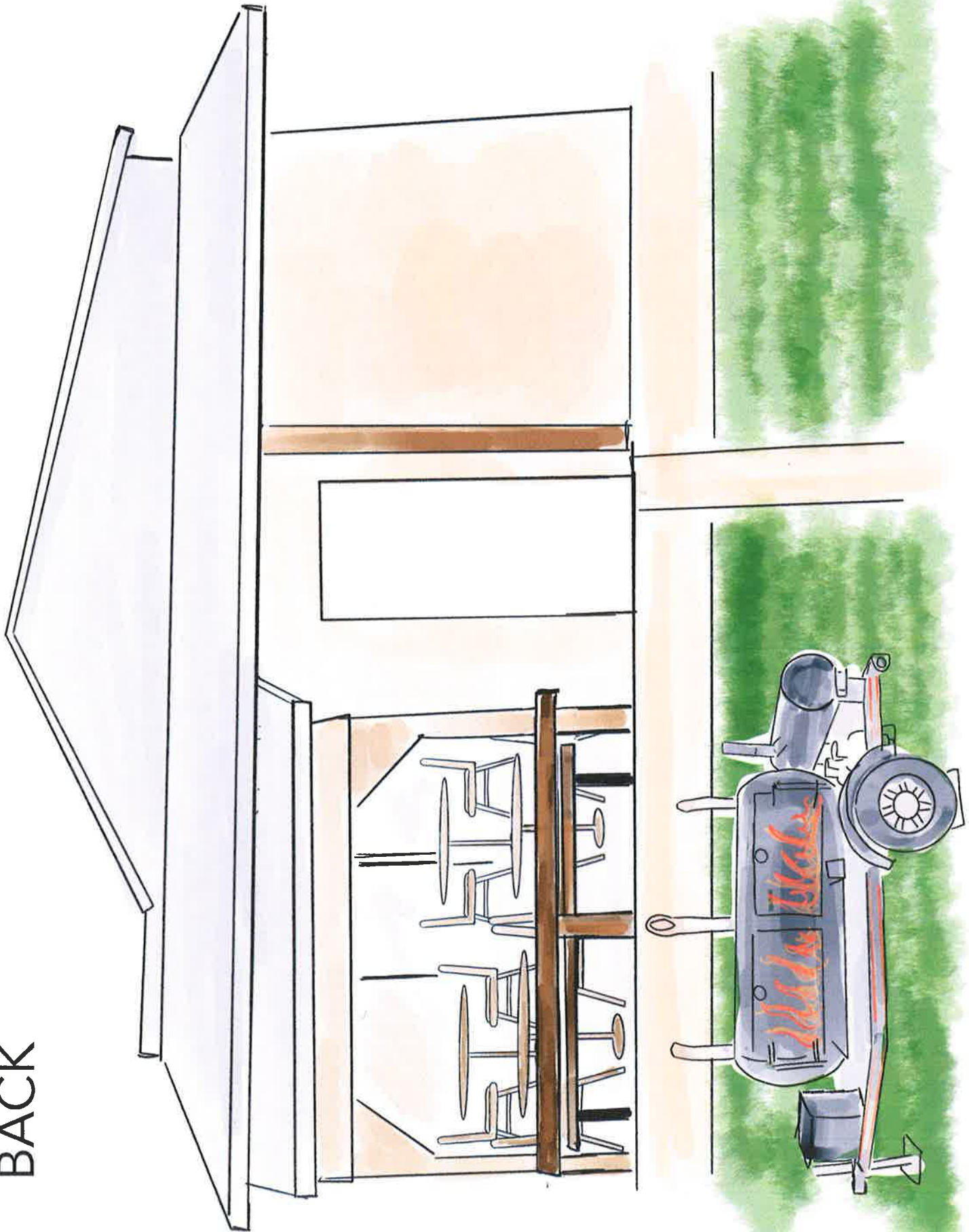
Sincerely,

Thomas Sizemore  
Owner-Sizemore Country Store

FRONT



BACK



INDEMNIFICATION

Project: \_\_\_\_\_

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 County in its sole discretion may hire outside counsel to handle its defense or may handle the matter internally. Indemnification also includes paying for the County's defense if it elects to hire outside counsel. Indemnification also includes compensating the County for staff time associated with the litigation. 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:

Owner (if different than Applicant):

  
Signature

\_\_\_\_\_  
Signature



**ENVIRONMENTAL INFORMATION FORM**

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

**GENERAL INFORMATION**

Project Name: Sizemore Country Store

Date Filed: \_\_\_\_\_ File No. \_\_\_\_\_

Applicant/ Developer \_\_\_\_\_ Landowner Tommy Sizemore

Address \_\_\_\_\_ Address 16146 Main St. Vacaville CA

Phone No. \_\_\_\_\_ Phone No. 925-783-2868

Assessor Parcel Number(s) 029-043-007

Existing Zoning District \_\_\_\_\_

Existing General Plan \_\_\_\_\_

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 \_\_\_\_\_

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

1. Site Size 20 x 20
2. Square Footage of Existing/Proposed Structures
3. Number of Floors of Construction 0
4. Amount of Off-street Parking Provided (provide accurate detailed parking plan)
5. Source of Water
6. Method of Sewage Disposal
7. Attach Plans
8. Proposed Scheduling of Project Construction
9. If project to be developed in phases, describe anticipated incremental development.
10. Associated Projects
11. Subdivision/Land Division Projects: Tentative map will be sufficient unless you feel additional information is needed or the County requests further details.
12. Residential Projects: Include the number of units, schedule of unit sizes, range of sale prices or rents and type of household size expected.
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.
14. Industrial Projects: Indicate type, estimated employment per shift, and loading facilities.
15. Institutional Projects: Indicate the major function, estimated employment per shift, estimated occupancy, loading facilities, and community benefits to be derived from the project.
16. If the project involves a variance, conditional use permit, or rezoning application, state this and indicate clearly why the application is required.

**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

- |                          |                                     |   |
|--------------------------|-------------------------------------|---|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 17. Change in existing features or any lakes or hills, or substantial alteration of ground contours.          |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 18. Change in scenic views or vistas from existing residential areas, public lands, or roads.                 |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 19. Change in pattern, scale, or character of general area of project.  |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 20. Significant amounts of solid waste or litter.   |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 21. Change in dust, ash, smoke, fumes, or odors in the vicinity.  |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 22. Change in lake, stream, or ground water quality or quantity, or alteration of existing drainage patterns. |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 23. Substantial change in existing noise or vibration levels in the vicinity.                                 |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 24. Site on filled land or has slopes of 10 percent or more.  |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 25. Use or disposal of potentially hazardous materials, such as toxic substances, flammables, or explosives.  |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 26. Substantial change in demand for municipal services (police, fire, water, sewage, etc.).                  |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 27. Substantially increase fossil fuel consumption (electricity, oil, natural gas, etc.).                     |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 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).
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).
31. Describe any known mine shafts, tunnels, air shafts, open hazardous excavations, etc. Attach photographs of any of these known features (cannot be returned).

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 \_\_\_\_\_

\_\_\_\_\_  
(Signature)

For \_\_\_\_\_

## Petition for Outdoor Dining at Sizemore Country Store

We, the undersigned, fully support the Sizemore Country Store proposition to implement outdoor dining located at 16146 Main St, Volcano, Ca 95689. We believe this will be a benefit to the community by expanding seating for this local venue. As customers of Sizemore Country Store, we enjoy our time spent there receiving great food and friendly service in a welcoming environment. By providing outdoor seating more options will be available to enjoy meals and beverages while supporting this local business.

Printed Name	Signature	Address	Comments	Date
Tommy Sizemore		16894 W. 10th St W44 Jackson Ceres CA		2-25-22
Donald Bye		2716 Moffer Rd Volcano CA	1-209-818-6198	2-26-22
ERIK PETERSON		15140 Volcano Volcano Rd. Rd	204-746-2710	2-26-22
Brenda Wolever		28557 Shake Ridge Volcano	209-296-4244	2/26/22
Nancy West		5098 Buckhorn Campo Seco, CA	209-304-8016	2/26/22
Shawn Healy		14508 Shake Ridge Rd CA	shut her the fuck up!	2-26-22
Holly Torgerson		14508 Shake Ridge Rd	208 Ditto 599-1041	2-26-22
Tom LEE		1714 DALY MANTUA	209 552-1812	2-26-22
Carole Casiro		5509 Mission Ct SALIDA, CA	209-724-5084	2/26/22
Tyler West		8105 N Main St Mokelumne Hill, CA	209-304-2442	2/26/22
Vincent Bartolone		8105 N Main St Mokelumne Hill, CA	shut her	2/26/22
Carl & Gregg		5555 Mitchell Mill Rd Pine Grove CA	858 608 4345	2/26/22
MEGHAN GRANGER		15055 MITCHELL MINE RD Pine Grove CA	619 302 7733	2/26/22
LOUIE FANTIN		13710 Fish Hawk Volcano CA	1-510-910-1473	2-26/22
Dee Black		13210 Redwood Hill Volcano CA	925-339-0303	2-26-22
JAN PARKS		14610 Bobbins PIONEER CA	650-440-1459	2-26-22
BILL CAPUTO		20211 Shake Ridge Volcano, CA 95689	209-296-2530	2-26-22

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Printed Name	Signature	Address	Comments	Date
Paulette Stoddy Baker		20211 Shaker Meadows Volcano CA 95689		2-26-22
MICHAEL WEEG		12210 WINDY CT JACKSON CA		2-26-22
Colleen Brown		1144 QUAIL OAKS VALLEY SPRINGS 95257		2-26-22
ED PAWLOWSKI		1144 QUAIL OAKS RD VALLEY SPRINGS 95252		2-26-22
Brandon W		19711 Squirrels rd		2-26-22
Jeanne Watson		26824 St Court Pioneer		2-26-22
Josh Armstrong		Carson City NV		2/27/22
NOTE NORDEN		6114 JEROME ST VOLCANO		2/27/22
Marisa Hall		18420 Anderson Anna Scatter Creek		2/27/2022
Chris Henn		Po Box 61 Scatter Creek CA		2/27/2022
Lindsay Cain		Po Box 272 Volcano CA 95689		2/27/2022
JOHN RESBURG		Po Box 461 PINE GROVE		2/27/2022
Shelly Resburg		Po Box 461 PINE GROVE		2/27/2022
MATT STEIN		Pioneer		2/28/22
Deniel McCall		Pioneer	I like to eat outside	2/28/22
MARY GERBERT		Volcano		3-1-22
SCOTT WALKER		VOLCANO		3.1.22

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Printed Name	Signature	Address	Comments	Date
Joaquin Alvarez		14420 Marilyn Ln		3-1-22
Micaha Runge		14420 Marilyn Ln		3-1-22
Salina Gunn		18043 Leona Lane, Pine Grove		3-1-22
Chris Gunn		18043 Leona Lane Pine Grove, CA		3-1-22
JOSEPH WOLFBRAND		16430 CLAPBOARD VOLCANO		3/1/22
RON AQUILINA		20300 SHAKER RIDGE		3/1/22
TARA AQUILINA		20300 SHAKER RIDGE		3-1-22
Michele Busi		9801 Blue Oak Lane Jackson, CA		3/1/2022
John Busi		9801 Blue Oak Lane Jackson, CA		3/1/2022
Jan Parks		14610 Bobbie Ln Pioneer CA		3/1/2022
Al Battagii		14610 Bobbie Ln Pioneer CA		3/1/22
Steve Stacy		16432 Cedar Heights Pioneer		3/1/22
Mike Jory		20121 State Rd Volcano		3-2-22
David Starkobas		Volcano 25020 Shaker Ridge	WORTH HURT A DAMN THING	3-2-22
Ricky Lague		12360 Tabean Rd Pine Grove		3-2-22
Stacey Tressler		16785 Wilderness Way Jackson		3-2-22
JEFF TRESSLER		16785 Wilderness Jackson		3-2-22

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Printed Name	Signature	Address	Comments	Date
Robin Laque		12360 Tabernash Rd Pine Grove CA		3/2/22
Don Haversen		Pine Grove		3/2/22
Shakee Haversen		Pine Grove		3/2/22
Jodi Tressler		Pine Grove Ca		3-2-22
Art Tressler		Pine Grove Ca		3-2-22
Gene Cox		19571 Main St Volcano	(CHICKEN) - SQUAT	3/3/22
H. Drets		Box 11 Pine Grove		3/3/22
A. Dos Santos		Pine Grove		3/3/22
Rob Witham		154 Oak Lane Rd Sedona 95642		3/3/22
Mark Bonadd		20180 Whigou Willard		3/3/22
Lyla Garcia	Lyla Garcia	19161 Sutter Creek Sutter Creek CA		3/4/22
NATHAN NARCROSS	Nathan Narcross	16119 Jerome St Volcano CA 95689		3/4/22
JAY DOBLER		PO BOX 140 VOLCANO		3/5/22
H. Beckett		Volcano		3/5/22
Tim Butler		Pine Grove		3/5/22
CHRISTOPHER COX		Volcano		3/8/22
Mike Cain		Volcano		3/9/22

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Printed Name	Signature	Address	Comments	Date
Julie Doty		14240 PINE GROVE Volcano Rd Pine Grove		3/9/22
Walter Doty		14240 P.G.V. Rd. PINE GROVE 95665		3/9/2022
KEN SANTIAGO		12675 E LDEL PINE GROVE	EXELEN PLACE	3/10/22
MANDY LAND				3/10/22
Billy Cross		21477 FORD 117	TOTAL	3/10/22
RAY STULTS		21407 DOVE PINE GROVE	Great	3/10/22
MARK SOUZA		19980 W MATCHELL Pine Grove	ENJOY EATING OUTSIDE	3/10/22
Scott Smith		16711 AIRCRAFT PROSSER CA	KEEP IT UP!	3.11.22
Gayle Littner		9335 SAWYER Brentwood	Keep it open!	3/11/22
MARK LITNER		933 SAWYER WAY BRENTWOOD	Keep it Open	3/11/22
SUE SLIVICK		13242 IRISH TOWN Pine Grove Rd	Keep open	3/12/22
TOM SLIVICK		13212 IRISH TOWN Pine Grove	Keep BUILD outdoor	3/12/22
PAUL NEEMAN		2001 Pine Dr W VOLCANO		3/12/22

# CONDITIONS OF APPROVAL

## FOR USE PERMIT: UP-22;3-2 Sizemore – Outdoor Use in C1

**APPLICANT:** Thomas Sizemore

**PHONE:** (925) 783-2868

**ADDRESS:** 16146 Main Street Volcano, CA 95689

**PROJECT LOCATION:** 16146 Main Street Volcano, CA 95689 (APN: 029-043-007)

**PROJECT DESCRIPTION:** Request for a Use Permit (UP-22;3-2) to allow up to 2 tables in front of the store to be used year round, live music on weekends and holidays, and 5 tables in the rear to be used seasonally from April through October, in a C1 Retail Commercial and Office Zone district.

**ENVIRONMENTAL DOCUMENT:** Negative Declaration

**PLANNING COMMISSION APPROVAL DATE:**

**NOTICE OF DETERMINATION DATE:**

NOTE A: It is suggested the project applicant contact the Environmental Health, Public Works, and Planning Departments and any other agencies involved prior to commencing these requirements. Improvement work shall not begin prior to the review and submission of the plans and the issuance of any applicable permits by the responsible County Department(s). The Inspector must have a minimum of 48 hours' notice prior to the start of any construction.

NOTE B: Information concerning this project can be obtained through the Amador County Planning Department, 810 Court Street, Jackson, CA 95642 (209) 223-6380.

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### **CONDITIONS OF APPROVAL**

1. ***FISH AND GAME FEES: No permits shall be issued, fees paid, or activity commence, as they relate to this project, until such time as the Permittee has provided the Planning Department with the Department of Fish and Game Filing Fee for a Notice of Determination or a Certificate of Fee Exemption from Fish and Game. THE PLANNING DEPARTMENT SHALL MONITOR THIS REQUIREMENT.***
2. Applicant shall submit signed conditions to the Planning Department. THE PLANNING DEPARTMENT SHALL MONITOR THIS REQUIREMENT.
3. This Use Permit is granted subject for the use(s) described (see attached application) on the condition that the project shall not, in the establishment, maintenance, or operation of the proposed use(s), be detrimental to the health, safety, peace, morals, comfort, and general welfare of the persons residing or working in the neighborhood of such proposed use(s) or be detrimental or injurious to property and improvements in the neighborhood or be detrimental or injurious to property and improvements in the neighborhood or the general welfare of the County. THE PLANNING DEPARTMENT SHALL MONITOR THIS CONDITION.
4. The issuance of this Use Permit is expressly conditioned upon the permittee's compliance with all the provisions contained herein and if any of the provisions contained herein are violated, this Use Permit may be subject to revocation proceedings as set forth in Amador County Code. THE PLANNING DEPARTMENT SHALL MONITOR THIS REQUIREMENT.
5. **Waste Disposal:** The applicant must ensure that the solid waste disposal service is sufficient to serve the intended use, to remain in compliance with County Code Section 7.24 regarding Solid Waste. THE WASTE MANAGEMENT DEPARTMENT SHALL MONITOR THIS CONDITION.
6. **Right of Way:** The applicant shall ensure that the proposed activities and outdoor dining in front of the store is situated outside of the County right-of-way. THE TRANSPORTATION AND PUBLIC WORKS SHALL MONITOR THIS CONDITION.
7. **Food Service:** Food sales and service must comply with the requirements of the California Retail Food Code and the limitations of the terms of the Use Permit and zoning designation of the property.–THE ENVIRONMENTAL HEALTH DEPARTMENT SHALL MONITOR THIS CONDITION.



- 8. Food Service: For the protection of staff and outdoor diners, the open air barbecue in the backyard of the food facility shall be separated from public access to prevent food contamination or injury to the public by using ropes or other approved exclusion methods. This is in accordance with CA Health and Safety Code Section 114143(c). THE ENVIRONMENTAL HEALTH DEPARTMENT SHALL MONITOR THIS CONDITION.
- 9. Noise (amplified music): Any outdoor amplified music shall not begin before 1:00 pm and shall be shut off at or before 7:00 p.m. The applicant and all uses under the Use Permit must comply with County Code Section 9.44.010 Public Nuisance Noise and the Amador County General Plan Noise Element. Consistent with Table N-3 under the Amador County General Plan, exterior noise levels shall not exceed 70 dB at the property line during regular hours of operation. Additionally, outdoor amplified music shall not coincide with Volcano Theater performances. THE PLANNING DEPARTMENT SHALL MONITOR THIS CONDITION.

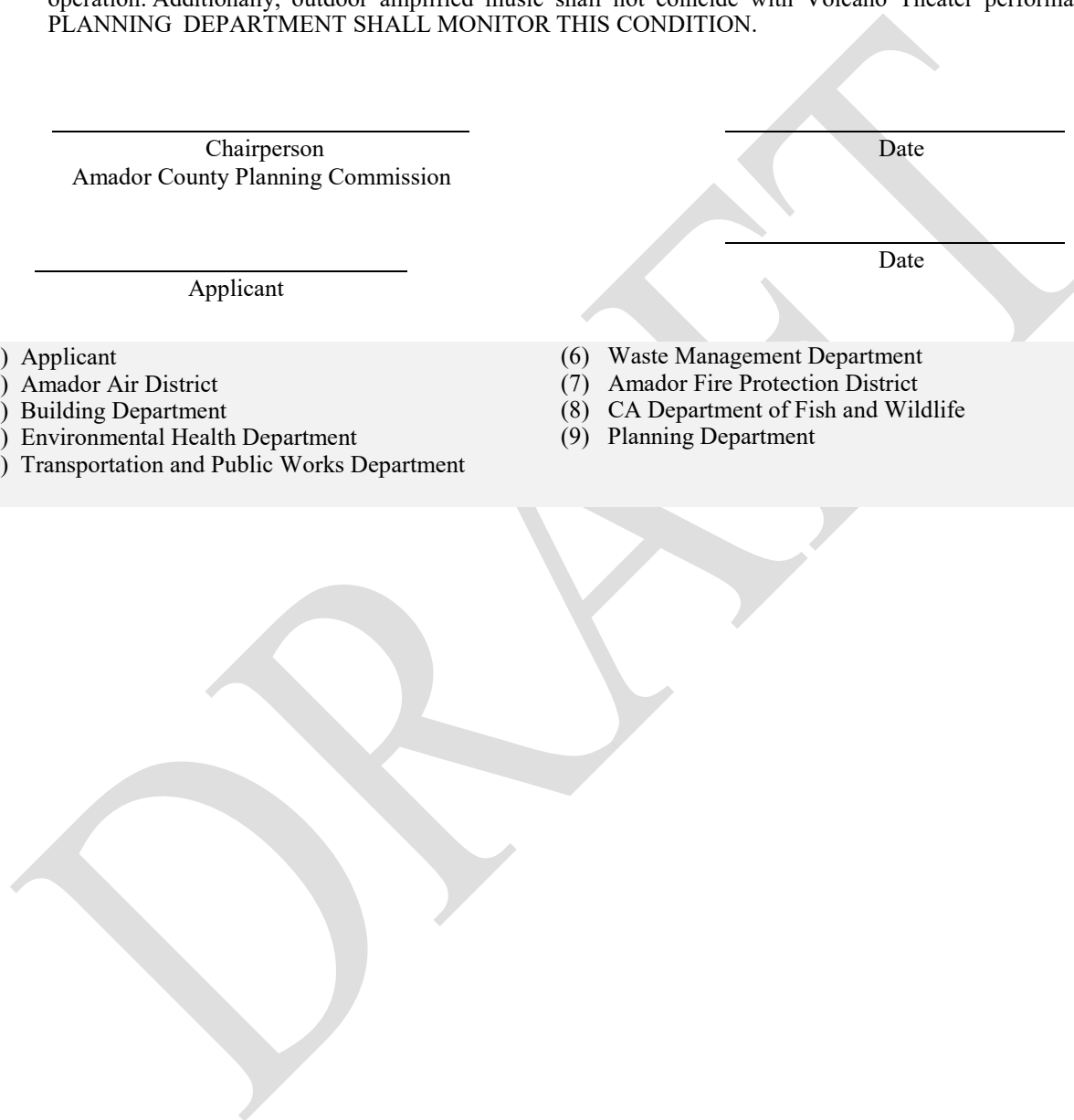
\_\_\_\_\_  
 Chairperson  
 Amador County Planning Commission

\_\_\_\_\_  
 Date

\_\_\_\_\_  
 Applicant

\_\_\_\_\_  
 Date

- |  |  |
|--|--|
| (1) Applicant                                  | (6) Waste Management Department        |
| (2) Amador Air District                        | (7) Amador Fire Protection District    |
| (3) Building Department                        | (8) CA Department of Fish and Wildlife |
| (4) Environmental Health Department            | (9) Planning Department                |
| (5) Transportation and Public Works Department |  |



**NEGATIVE DECLARATION  
CALIFORNIA ENVIRONMENTAL QUALITY ACT**

**PROJECT:** UP-22;3-2 Sizemore Outdoor Use

**LEAD AGENCY:** Amador County Planning Commission

**PROJECT LOCATION:** 16146 Main St, Volcano, CA 95689

**PROJECT DESCRIPTION:** Request for a Use Permit (UP-22;3-2) to allow up to 2 tables in front of the store, 5 tables in the rear, and live music on weekends and holidays in a C1 Retail Commercial and Office zoning district (APN 029-043-007).

**PUBLIC HEARING:** The Amador County Planning Commission conducted a public hearing on the matter on August 9, 2022 at 7:00 p.m. in the Board Chambers of the County Administration Center, 810 Court Street, Jackson, CA, 95642.

**PROJECT FINDINGS:**

1. The project, as proposed and conditioned, is consistent with the Amador County General Plan and the “C1” zoning district at this location;
2. The approval of the Use Permit is sanctioned by County Code Section 19.48.040 (District regulations- Generally (C1) and is consistent with County Code Section 19.56 (Use Permits) in that the establishment, maintenance or operation of proposed use will not be detrimental to the health, safety, peace, morals, comfort, and general welfare of the persons residing or working in the neighborhood of such proposed use or be detrimental or injurious to property and improvements in the neighborhood or be detrimental or injurious to property and improvements in the neighborhood or the general welfare of the County;
3. A review of this proposal 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 due to the mitigation measures and conditions incorporated and a Mitigated Negative Declaration will be adopted and filed with the County Recorder.
4. 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.

**PREPARATION OF STUDY:** Information on file with the Amador County Planning Department, 810 Court Street, Jackson, CA 95642; (209)223-6380; File No. UP-22;3-2 Sizemore.

\_\_\_\_\_  
Chair  
Planning Commission

\_\_\_\_\_  
Date

# Notice of Determination

Appendix D

TO:  Office of Planning and Research  
P.O. Box 3044  
Sacramento, CA 95812-3044

County Clerk, County of Amador  
810 Court St.  
Jackson, CA 95642-2132

FROM: Amador County  
Planning Commission  
810 Court St.  
Jackson, CA 95642-2132  
planning@amadorgov.org  
Phone: (209) 223-6380

**SUBJECT:** Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.

**STATE CLEARINGHOUSE NUMBER (if submitted to State Clearinghouse):** 20220778

**PROJECT TITLE:** UP-22;3-2 Sizemore Outdoor Use

**Applicant:** Tommy Sizemore

**Mailing Address:** PO Box 353

Volcano, CA 95689

**Phone:** (925) 783-2868

**Email:** sizemoreconstruction@yahoo.com

**PROJECT LOCATION (Amador County):** 16146 Main Street Volcano, CA 95689

**PROJECT DESCRIPTION:** Request for a Use Permit (UP-22;3-2) to allow up to 2 tables in front of the store, 5 tables in the rear, and live music on weekends and holidays in a C1 Retail Commercial and Office zoning district (APN 029-043-007).

This is to advise that the Amador County Planning Commission [ Lead Agency *or*  Responsible Agency] approved the above described project on August 9, 2022 and has made the following determinations regarding the above described project:

1. The project [ will  will not] have a significant effect on the environment.
2.  An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.  
 A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures [ were  were not] made a condition of the approval of the project.
4. A mitigation reporting or monitoring plan [ was  was not] adopted for this project.
5. A statement of Overriding Considerations [ was  was not] adopted for this project.
6. Findings [ were  were not] made pursuant to the provisions of CEQA.

This is to certify that the final environmental document, with comments and responses and record of project approval, or the Tiered Negative Declaration and General Plan Environmental Impact Report, is available to the General Public at: Amador County Planning Dept., 810 Court St., Jackson, CA 95642.

Signature (Public Agency) \_\_\_\_\_ Title: Chair, Planning Commission

Date: \_\_\_\_\_

Date Received for Filing at O.P.R.: \_\_\_\_\_

Authority cited: Sections 21083, Public Resources Code.  
Reference: Sections 21000-21174, Public Resources Code.

**File No.** \_\_\_\_\_

**Posted On** \_\_\_\_\_

**Posting Removed** \_\_\_\_\_

PUBLIC REVIEW DRAFT  
NEGATIVE DECLARATION  
AND INITIAL STUDY

FOR

UP-22;3-2 Sizemore - Outdoor Use in C1

June 2022

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

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**Project Description:**

Project Title:	<b>Use Permit 22;3-2 Outdoor Use in C1</b>
Lead Agency Name and Address:	<b>Amador County Planning Commission 810 Court Street, Jackson, Ca 95642</b>
Contact Person/Phone Number:	<b>Ruslan Bratan, Planner II 209-233-6380</b>
Project Location:	<b>16146 Main Street Volcano, CA 95689</b>
Project Sponsor's Name and Address:	<b>Thomas Sizemore 16146 Main Street Volcano, CA 95689</b>
General Plan Designation(s):	<b>Town Center (TC)</b>
Zoning:	<b>Retail Commercial and Office (C1)</b>

**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 Use Permit for up to 2 tables in front of the store, 5 tables in the rear, and live music on weekends and holidays in a C1 Retail Commercial and Office Zone district. The applicant is requesting a Use Permit as a result of the requirement in the C1 district which require a conditional Use Permit be obtained for outdoor uses. This environmental review document provides an assessment of the potential impacts caused by the potential additional uses.

**Project Components**

**1. Outdoor Seating**

The project proposes year round seating in front of the store, as well as seasonal outdoor seating and live music in the backyard.

The front of the store has two benches with tabletops that can seat five people each. This would provide outdoor seating for up to ten people total in front of the store.

The backyard would be used seasonally from April through October, and currently supports five tables with four seats per table, as well as a bench with countertop that can accommodate an additional five patrons. This would make for a total of outdoor seating in the backyard for twenty-five patrons.

**2. Live Music**

The project also proposes live music on weekends and holidays. This entertainment would typically occur in the afternoon or early evening between the hours of 1:00 p.m. to 7:00 p.m.

Description of project:

**Regional and local Setting**

The project site is located in the town of Volcano located in Amador County. Land uses along Main Street are zoned C1, Retail Commercial and Office. The properties to the northeast are predominantly scattered dwellings, with some having various types of agricultural use. Adjoining parcel sizes range from less than 1 acre to over 10 acres with various residential, agricultural, institutional, and commercial uses.

Surrounding land uses and setting:

**Existing Site Character**

The project site is located along the Main Street corridor dominated by various commercial and institutional uses. The property has historically been, and is currently operating as a general store.

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



FIGURE 2: PROJECT VICINITY

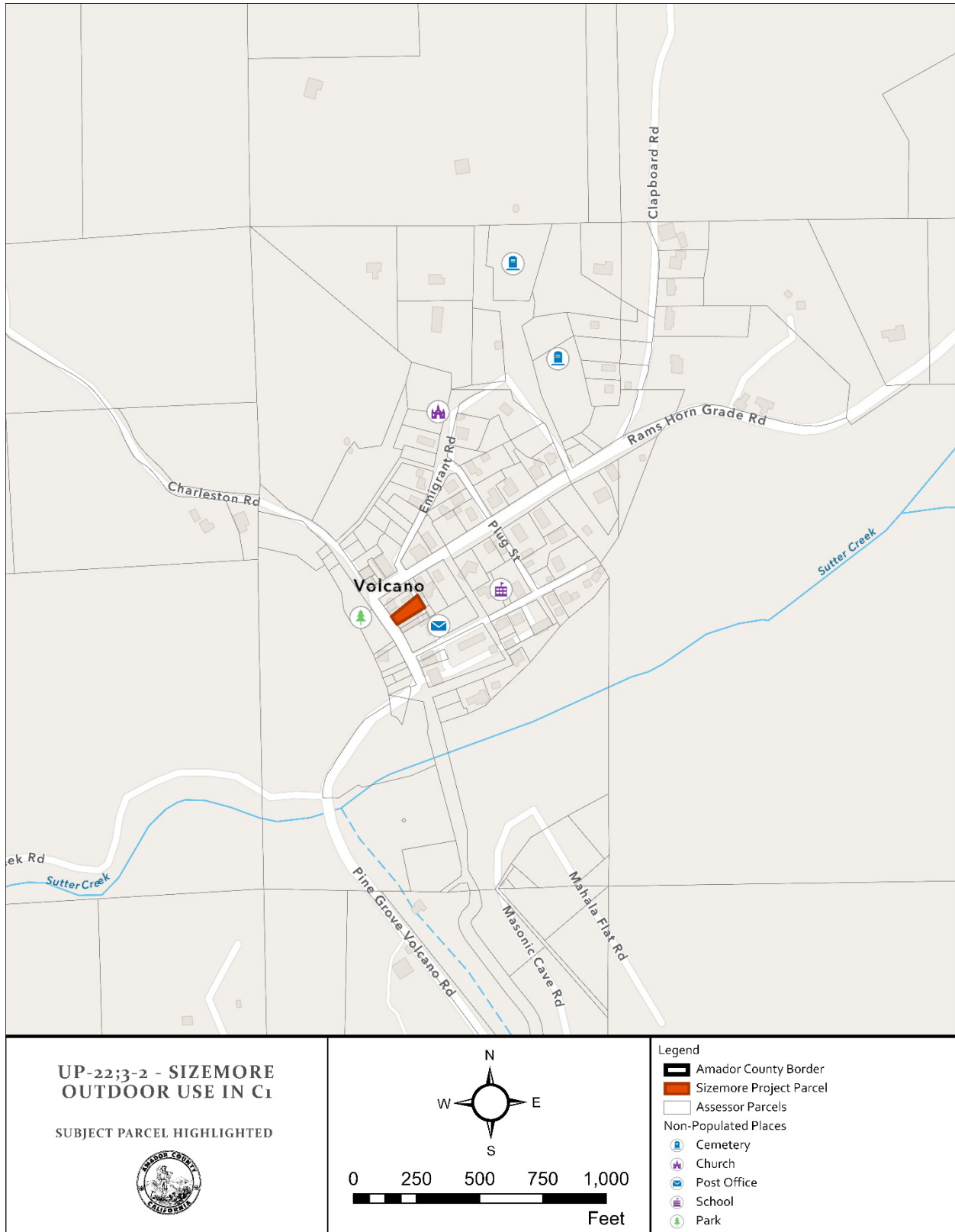




FIGURE 3: PROJECT LOCATION - AERIAL

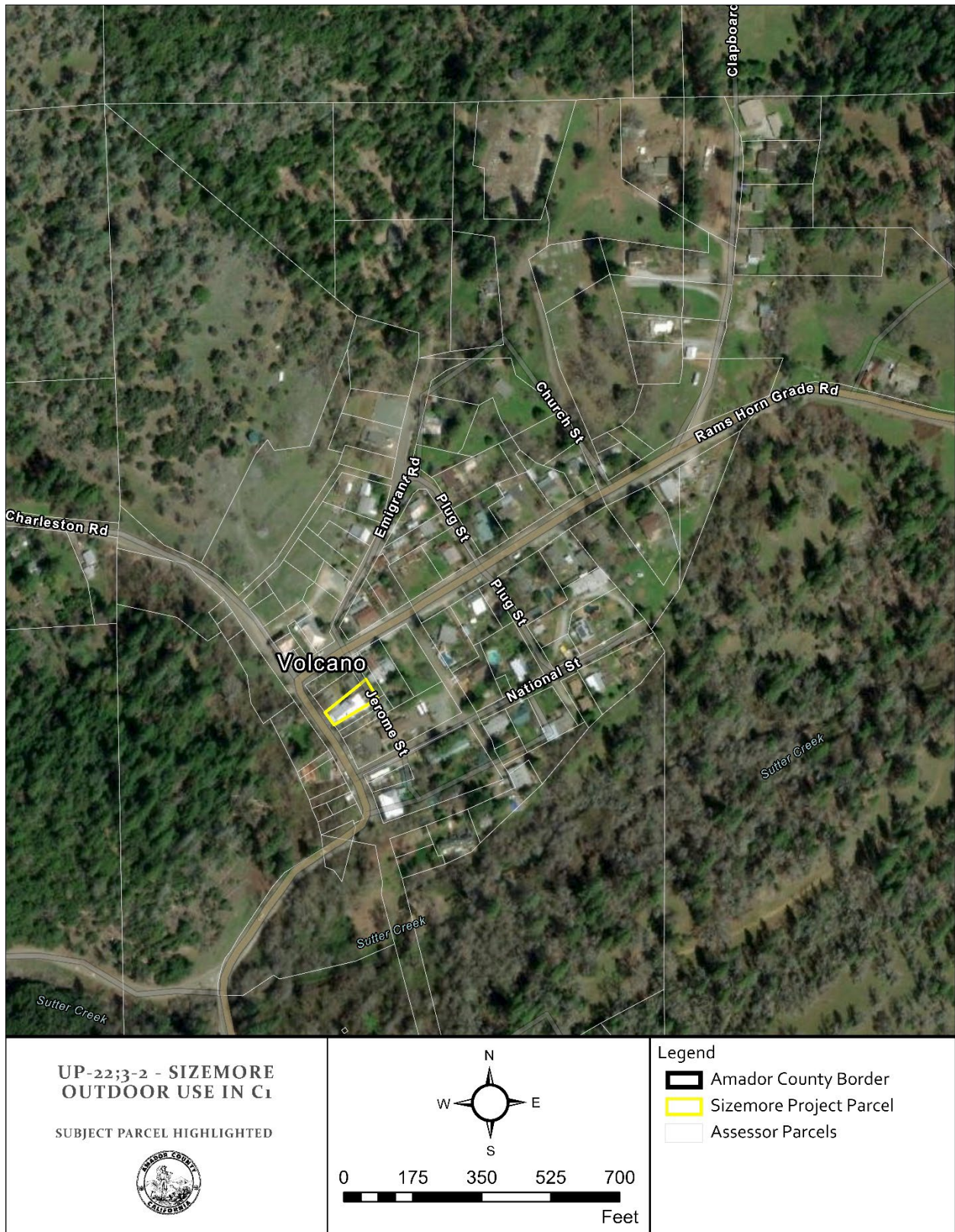
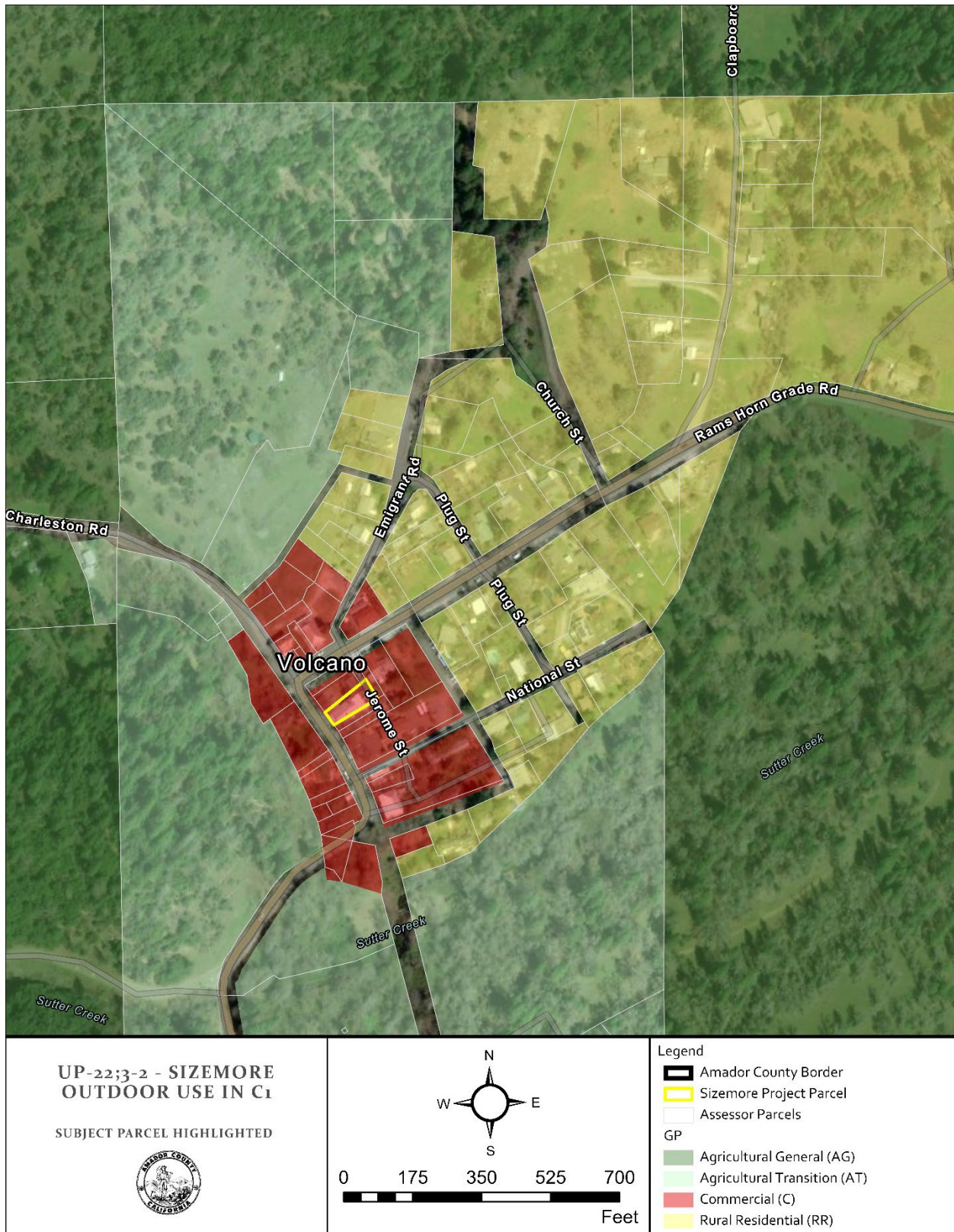
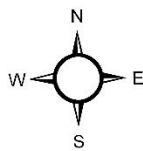


FIGURE 4: GENERAL PLAN LAND USES



UP-22;3-2 - SIZEMORE  
OUTDOOR USE IN C1

SUBJECT PARCEL HIGHLIGHTED



Legend

- Amador County Border
- Sizemore Project Parcel
- Assessor Parcels
- GP
- Agricultural General (AG)
- Agricultural Transition (AT)
- Commercial (C)
- Rural Residential (RR)

FIGURE 5: ZONING DESIGNATIONS



UP-22;3-2 - SIZEMORE  
OUTDOOR USE IN C1

SUBJECT PARCEL HIGHLIGHTED

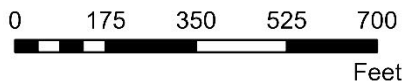
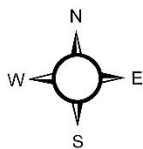


FIGURE 6: Project Parcel Detail



**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.

- Aesthetics
- Agriculture and Forestry Resources
- Air Quality
- Biological Resources
- Cultural Resources
- Geology / Soils
- Greenhouse Gas Emissions
- Hazards & Hazardous Materials
- Hydrology / Water Quality
- Land Use / Planning
- Mineral Resources
- Noise
- Population / Housing
- Public Services
- Recreation
- Transportation / Traffic
- Utilities / Service Systems
- 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 <b>COULD NOT</b> have a significant effect on the environment, and a <b>NEGATIVE DECLARATION</b> 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 <b>MITIGATED NEGATIVE DECLARATION</b> will be prepared.
<input type="checkbox"/>	I find that the proposed project <b>MAY</b> have a significant effect on the environment, and an <b>ENVIRONMENTAL IMPACT REPORT</b> is required.
<input type="checkbox"/>	I find that the proposed project <b>MAY</b> 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 <b>ENVIRONMENTAL IMPACT REPORT</b> 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 <b>NEGATIVE DECLARATION</b> pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or <b>NEGATIVE DECLARATION</b> , 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. There are no officially designated scenic vistas in the project area, and it is unlikely that short-range views would be significantly affected by this project. This project is not foreseen to cause any significant change in the aesthetic quality of the property. The proposed increase in outdoor use will not introduce any significant changes or major additions to the landscape, therefore there is **no impact**.
- D. Existing sources of light come from the nearby residential, commercial, and institutional developments. The proposed administrative change will not result in an increased residential density. There is a **no impact**.

**Source:** Amador County Planning Department, Amador County General Plan and Final Environmental Impact Report (FEIR).

<b>Chapter 2. AGRICULTURE AND FOREST RESOURCES</b> – 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:	<b>Potentially Significant Impact</b>	<b>Less Than Significant Impact with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**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”. This project does not introduce any additional use or impact that would introduce significant changes to nearby property uses. There is a **no impact** to farmland or forest land through this project.

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



<b>Chapter 3. AIR QUALITY</b> – 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:	<b>Potentially Significant Impact</b>	<b>Less Than Significant Impact with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>
c) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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.
- There would be no construction or increase in emissions as part of this project therefore there would be no introduction of pollution in excess of existing standards established through the County's air quality guidelines. As there is no proposed land use change in use through this Use Permit, there is **no impact** to implementation of any applicable air quality plans.
- B. The proposed project would not generate a significant increase in operational or long-term emissions. The existing development climate of the area is a combination of commercial, institutional, and residential uses. The project will not introduce any additional uses or uses beyond what is allowed by the C1, zoning, or incompatible with the C, Commercial General Plan designation. Future development of the property would be required to comply with the General Plan regarding construction emissions and related project-level emissions. There is a **no impact** relative to air quality standards.
- C. Sensitive receptors are children, elderly, asthmatics and others who are at a heightened risk of negative health outcomes due to exposure to air pollution. The locations where these sensitive receptors congregate are considered sensitive receptor locations. Sensitive receptor locations include schools, parks and playgrounds, day care centers, nursing homes, hospitals, and residential dwelling units. These are areas where the occupants are more susceptible to the adverse effects of exposure to toxic chemicals, pesticides, and other pollutants. The nearest sensitive receptors include the residential dwelling units located northeast of the project site. Though there are sensitive receptors a short distance from the project site, the project itself does not introduce any significant increases of air pollution or environmental contaminants which would affect the surrounding populations. For these reasons, there would be no substantial increase the exposure of sensitive receptors to substantial pollutant concentrations and there is **no impact**.
- D. The proposed outdoor seating and live music project would not generate any significantly objectionable odors beyond that which is permitted under the existing uses and this project would not introduce an increase of objectionable odors discernable at property boundaries and there is **no impact**.

**Source:** Amador Air District, Amador Planning Department, Amador County General Plan EIR.

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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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 Per General Plan Mitigation Measure 4.4-1b: Special-Status Species Protection, when considering discretionary development proposals, the County, through CEQA reviews, will require assessments of potential habitat for special-status species on proposed projects sites, and avoidance or substantial reduction of impacts to that habitat through feasible alternatives or mitigation measures, including compensatory mitigation where unavoidable losses of occupied habitat would occur.

Mitigation measures will be developed consistent with applicable state and federal requirements. For those species for which published mitigation guidance exists (such as valley elderberry longhorn beetle, burrowing owl, and Swainson’s hawk), developed mitigation measures will follow the guidance provided in these publications or provide a similar level of protection. If previous published guidance does not exist, mitigation will be developed in consultation with the appropriate agencies (USFWS for federally listed plant, wildlife and fish species; NMFS for listed anadromous fish species; CCDFW for state listed species, species of special concern and CRPR-ranked species). The County will require project applicants to obtain any required take permits prior to project implementation.

The US Fish & Wildlife Office’s Information for Planning and Conservation (IPaC) database and the California Natural Diversity Database (CNDDB QuickView) were employed to determine if any special status animal species or habitats occur on the project site or in the project area. The IPaC Resource Report identified habitat potential for the following endangered species within the project area:

California red-legged frog (*Rana draytonii*); Delta smelt (*Hypomesus transpacificus*); Monarch Butterfly (*Danaus plexippus*); Bald eagle (*Haliaeetus leucocephalus*); Black-throated Gray Warbler (*Dendroica nigrescens*); Evening Grosbeak (*Coccothraustes vespertinus*); Oak titmouse (*Baeolophus inornatus*); Olive-sided Flycatcher (*Contopus cooperi*); and Wrentit (*Chamaea fasciata*). The project location does not contain critical habitat.

Though the project area contains candidate, sensitive, or special status species, there is no impact to Candidate, Sensitive, and Special Status Species because the site has been significantly developed and contains no nesting habitat for birds. At this time, there are **no impacts**.

B Natural communities of concern (i.e. riparian, wetlands, and oak woodlands) are considered sensitive under CEQA and may be regulated by the CDFW pursuant to Section 1602 of the California Fish and Game Code. Riparian communities and wetlands may also be regulated by the United States Army Corps of Engineers and/or Regional Water Quality Control Board if the community is determined to be waters of the United States, or waters of the State. No natural communities of concern occur within the project site; therefore, there is no impact. Therefore, there are **no impacts**.

C General Plan Mitigation Measure 4.4-5 requires project applicants to conduct wetland delineations according to USACE standards and submit the delineations to the USACE for verification. Based on the verified delineation, project applicants will quantify impacts to wetlands and other waters of the United States resulting from their proposed projects. A permit from the USACE will be required for any activity resulting in impacts of "fill" of wetlands and other waters of the United States.

If projects require activities that result in impacts to wetlands and other waters of the United States, the County during discretionary project review will require project applicants to obtain all necessary permits under Section 404 of the CWA, and implement compensatory mitigation consistent with USACE and EPA's April 10, 2008 Final Rule for Compensatory Mitigation for Losses of Aquatic Resources (33 CFR Parts 325 and 332 and 40 CFR Part 230), including preparation of a wetland mitigation plan if required. The wetland mitigation plan will include ecological performance standards, based on the best available science that can be assessed in a practicable manner. Performance standards must be based on attributes that are objective and verifiable. The County will require project applicants to commit to replace, restore, or enhance on a "no-net-loss" basis (in accordance with USACE Section 404 no-net-loss requirements) the acreage of all wetlands and other waters of the United States that would be removed, lost, and/or degraded by discretionary projects. The County will require similar mitigation for loss of non-jurisdictional wetlands and waters that are waters of the state and have value as biological resources.

For Section 404 mitigation, in accordance with the Final Rule, mitigation banks (e.g., Cosumnes Floodplain Mitigation Bank) will be given preference over other types of mitigation because much of the risk and uncertainty regarding mitigation success is alleviated by the fact that mitigation bank wetlands must be established and demonstrating functionality before credits can be sold. The Final Rule also establishes a preference for compensating losses of aquatic resources within the same watershed as the impact site. A combination of mitigation bank credits and permittee-responsible on and off-site mitigation may be used as needed to fully offset project impacts on wetlands and other waters of the United States and waters of the state.

Project applicants that obtain a Section 404 permit will also be required to obtain certification from the Regional Water Quality Control Board (RWQCB) pursuant to Section 401 of the CWA. If the project involves work on the bed or bank of a river, stream or lake, a Streambed Alteration Agreement from CDFW pursuant to Section 1602 of the Fish and Game Code will also be needed, which will include mitigation measures required by CDFW. The County will require project applicants to obtain all needed permits prior to project implementation, and to abide by the conditions of the permits, including all mitigation requirements.

Though the National Wetlands Inventory, indicates the surrounding project area has scattered freshwater emergent wetlands, AND Riverine the project is for outdoor seating and live music within a limited area behind and in front of the general store. No development is proposed therefore at this time, **there are no impacts.**

- D The proposed project would not conflict with local policies adopted for the protection biological resources. As the site is not wooded and has no Oak Woodlands identified on the project site, there is **no impact** to Oak Woodlands.
- E The proposed 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, Planning Department

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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 checked="" type="checkbox"/>	<input 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 type="checkbox"/>	<input checked="" type="checkbox"/>
c) Disturb any human remains, including those interred outside of dedicated cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion:**

A A review of Exhibit 4.5-2, Cultural Resource Sensitivity, of the Amador County General Plan Final EIR indicates the site is in an area identified as having high cultural resource 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.

A Cultural Resources Study was prepared for this project by Duke Cultural Resources Management, LLC (DUKE CRM) which included background research and on-site inspection of the property. Background research included inspection of the files within the California Office of Historic Preservation Built Environment Resource Database (BERD) managed by the California Historic Resources Information System (CHRIS), County archives, planning department documents, and related historical maps, aerials and articles. In applying CRHR Criterion 1 and Significance for the County of Amador, the subject property represents one of the oldest operating general stores in California, having been established in 1852. Subject property is associated with events that have made a significant contribution to the broad patterns of California’s history and cultural heritage, particularly the history of Volcano, being one of the area’s important Gold Rush mining camps.

The Archeologists recommendations states that the subject property at 16146 Main Street appears eligible for the CRHR, and as an Amador County resource of significance. The building is already a listed Amador County Historical Landmark. The front porch or veranda and the rear addition (including the placement of seating) are non-contributing parts of the store’s historic fabric, nor do they degrade the buildings significance. Therefore, the addition of seating will not impact the importance of the structure or it’s eligibility to the CRHR or County historic resource criteria therefore there is **a less than significant impact**.

B Per General Plan Mitigation Measure 4.6-9, when reviewing discretionary development proposals where a CEQA document is required, the County will require project applicants to conduct a paleontological resources impact assessment for projects proposed within the Modesto, Riverbank, Mehrten, and Ione Formations. Exhibit 4.6-3, Geologic Map, of the EIR verifies that the project site is not located in these formations, so it is anticipated that the project would have **no impact** to paleontological or geological resources.

- C This site is not a known burial site or formal cemetery. However, as noted above, the project site is located in an area identified as having high cultural resource sensitivity. Therefore, the project has the potential to disturb or damage any as-yet-unknown archaeological resources or human remains if development is proposed. At this time, there are no ground disturbing activities proposed nor is there any development proposed. **There are no impacts.**

**Source:** Cultural Resources Evaluation of the Sizemore Country Store Project - Duke Cultural Resources Management, LLC; Planning Department; North Central Information Center, California State University, Stanislaus; Amador County General Plan Environmental Impact Report.

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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 type="checkbox"/>	<input checked="" 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. There is no long-term project construction or long-term operational changes resulting in substantial energy use, therefore there is **no 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 if future construction were to take place and would not result in wasteful or inefficient use of nonrenewable energy sources. The only local energy plan is the Energy Action Plan (EAP) which provides incentives for homeowners and business owners to invest in higher-efficiency energy services. The project would not conflict with or obstruct any state or local plan for energy management, 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 type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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. At this time, **there are no impacts**.
- 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. There is no construction proposed with this project therefore **there are no impacts**.

- 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. At this time, **there are no impacts**.
- D. According to the Natural Resources Conservation Service (NRCS, 2017), the project site is located in an area with: Placer diggings and Riverwash (Pw), with 0 to 5 percent slopes. See Figure 7 below. 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. At this time, **there are no impacts**.





































FIGURE 7: Soil Map



**Map Unit Legend**

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
Pw	Placer diggings and Riverwash	0.4	100.0%
<b>Totals for Area of Interest</b>		<b>0.4</b>	<b>100.0%</b>

**MAP LEGEND**

<b>Area of Interest (AOI)</b>		Area of Interest (AOI)		Spoil Area
<b>Soils</b>		Soil Map Unit Polygons		Stony Spot
		Soil Map Unit Lines		Very Stony Spot
		Soil Map Unit Points		Wet Spot
<b>Special Point Features</b>		Blowout		Other
		Borrow Pit		Special Line Features
		Clay Spot	<b>Water Features</b>	
		Closed Depression		Streams and Canals
		Gravel Pit	<b>Transportation</b>	
		Gravelly Spot		Rails
		Landfill		Interstate Highways
		Lava Flow		US Routes
		Marsh or swamp		Major Roads
		Mine or Quarry		Local Roads
		Miscellaneous Water	<b>Background</b>	
		Perennial Water		Aerial Photography
		Rock Outcrop		
		Saline Spot		
		Sandy Spot		
		Severely Eroded Spot		
		Sinkhole		
		Slide or Slip		
		Sodic Spot		

**MAP INFORMATION**

The soil surveys that comprise your AOI were mapped at 1:20,000.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service  
 Web Soil Survey URL:  
 Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Amador Area, California  
 Survey Area Data: Version 13, May 29, 2020

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: May 3, 2019—Oct 29, 2019

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

- E. The project is currently served by an on-site sewage disposal system, which was evaluated in 2021 by a qualified professional when the kitchen and menu were expanded. The Environmental Health Department does not expect that adding outdoor seating will impact the existing system. The owner has been advised to care for the system by avoiding grease disposal into the system, and regularly servicing the system. There is a **no impact**.
- F. The project is not near a unique geologic feature that could be significantly impacted as a result of this project. The proposed project would not destroy or greatly impact any known unique geological site or feature. The project site is suited for commercial use and this project does not propose additional uses or development inconsistent with current uses of the property. **No impact would result.**

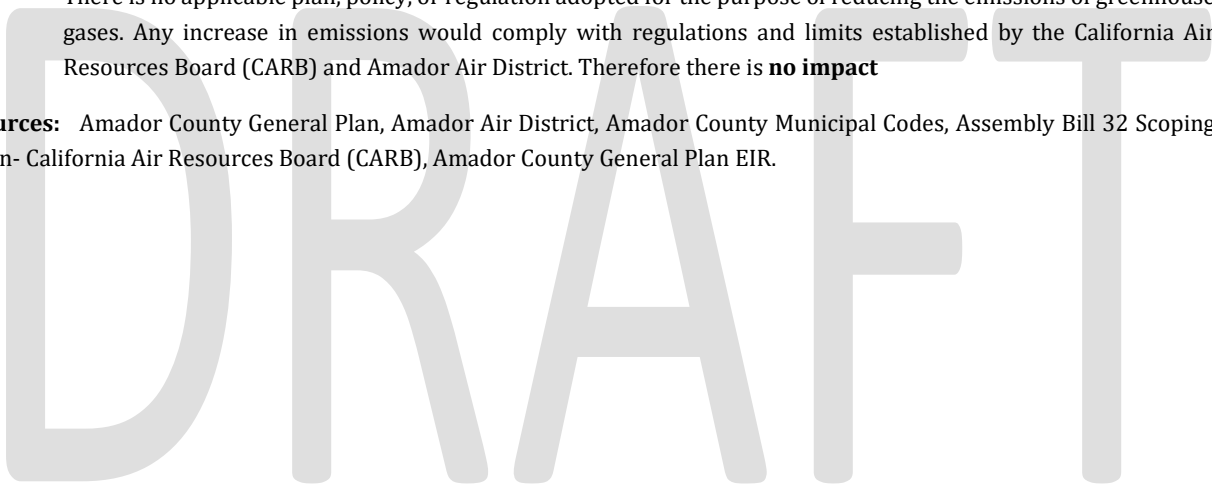
**Sources:** Soil Survey-Amador County; Planning Department; Environmental Health Department; National Cooperative Soil Survey; Amador County General Plan EIR, California Geologic Survey; Alquist-Priolo Earthquake Fault Zones Maps.

<b>Chapter 8. GREENHOUSE GAS EMISSIONS –</b> Would the project:	<b>Potentially Significant Impact</b>	<b>Less Than Significant Impact with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion:**

- A. This project is not anticipated to generate substantial increase in emissions. The project would not generate significant greenhouse gas emissions or result in significant global climate change impacts. There is **no impact**.
- B. There is no applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases. Any increase in emissions would comply with regulations and limits established by the California Air Resources Board (CARB) and Amador Air District. Therefore there is **no impact**

**Sources:** Amador County General Plan, Amador Air District, Amador County Municipal Codes, Assembly Bill 32 Scoping Plan- California Air Resources Board (CARB), Amador County General Plan EIR.



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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>

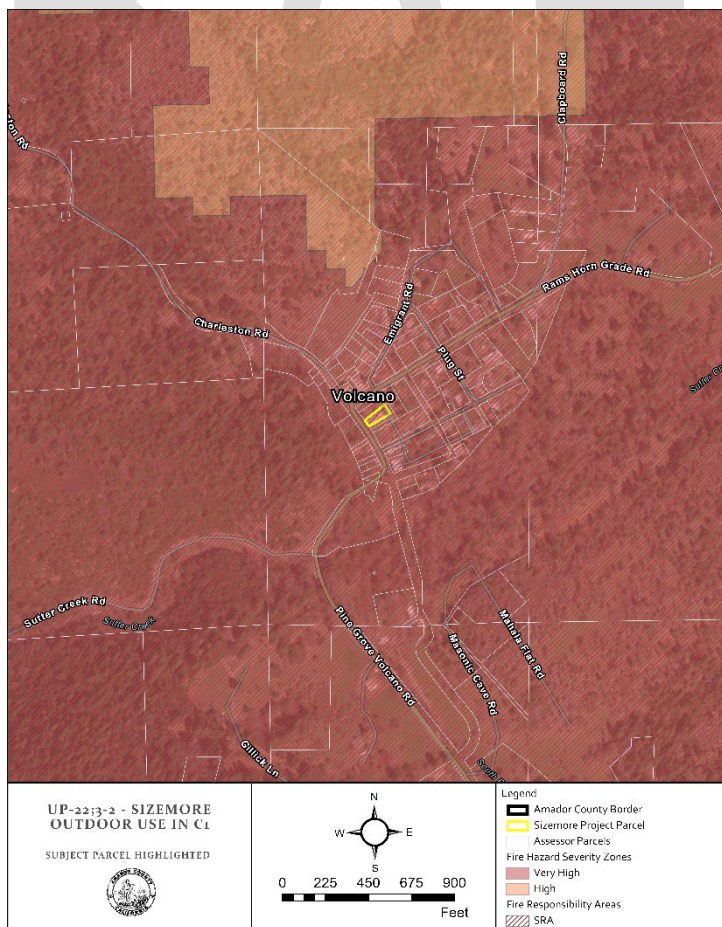
**Discussion:**

- A. Hazardous Materials Transport and Handling: The project does not significantly increase risk to the public or the environment through the routine transport, use, or disposal of hazardous materials. There is **no impact**.
- B. Hazardous Materials Upset and Release: Potential impacts of hazardous material handling, transport, or release through this project is mitigated by oversight of the Amador County Environmental Health department pursuant to state law. There is no increased potential impacts of hazardous materials or associated uses through this project. There is **no impact**.
- 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. Pursuant to Government Code Section 65962.5, the project site was queried for past-to-current records regarding information collected, compiled, and updated by the Department of Toxic Substances Control and Secretary for Environmental Protection (EPA) evaluating sites meeting the “Cortese List” requirements. The project site also was also searched on the California EPA’s Superfund Enterprise Management System (SEMS) database and the US EPA Facility Registry Service (FRS) however there were no specific flags for the project on either site. As the project does not propose any significant changes in use, intensity, or major construction, there is **no impact** regarding hazardous materials on or near the project site.

- E. The nearest public use airport to the project site is the Westover Field Airport located in Martell, located approximately 13 miles away. The proposed project is located outside the safety compatibility zones for the area airports, and due to the significant distance from the project site, there is **no impact** to people on the project site.
- F. Per General Plan Mitigation Measure 4.8-2b, Evacuation Planning and Routes, when considering development proposals and discretionary actions, the County will ensure that actions will not prevent the implementation of emergency response plans or viability of evacuation routes established by the Office of Emergency Services. The project does not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. No road improvements within a County right-of-way is anticipated. At this time, **there are no impacts**.
- G. Per General Plan Mitigation Measure 4.8-7a, Fire-Safe Development, the County will review new development applications in moderate, high, and very high fire hazard severity zones to confirm they meet the standards of the Title 24 Wildland Urban Interface Building Codes and 14 CCR 1270. The County will require new structures and improvements to be built to support effective firefighting. New development applications in very high fire hazard severity zones shall include specific fire protection plans, actions, and/or comply with Wildland Urban Interface codes for fire engineering features. The County will seek fire district input on development applications to allow any proposed projects to incorporate fire-safe planning and building measures. Such measures may include (but are not limited to) buffering properties, creating defensible space around individual units, using fire-resistant building materials, installing sprinkler systems, and providing adequate on-site water supplies for firefighting.

According to the California Department of Forestry and Fire Protection the project is located in the State Responsibility Area for wildland fire protection and is within the Very High Fire Hazard Severity Zones. Any future construction is required to comply with the Wildland-Urban Interface Building Codes (adopted by reference by Amador County in Chapter 15.04 of County Codes) and will be evaluated for compliance with the General Plan mitigation measures and additional CEQA analysis, as necessary. At this time, **there are no impacts**.

**FIGURE 8: Fire Hazard Severity Map**



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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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 The proposed project would not further increase the impermeable surfaces on-site, nor result in an increase in urban storm water runoff. There are no impacts.
- B The project is unlikely to significantly impact groundwater supplies via extraction or the creation of extensive hard surfaces as the restaurant is provided water by Volcano Community Services District. At this time, **there are no impacts** to groundwater.
- C
  - I-II. The proposed project is not projected to significantly contribute to any increase in erosion, siltation, surface runoff, or redirection of flood flows. Future development (if any) 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. At this time, **there are no impacts**.
  - III. The project would not contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems. At this time, **there are no impacts**.
  - IV. The project is located in Flood Zone X, meaning that the site is outside of the Standard Flood Height Elevation and of minimal flood hazard (Zone X). The proposed project does not involve construction on the property. There are **no impacts** with respect to construction within a 100 year flood hazard area for this project.

- 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.

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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 type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion:**

- A The surrounding parcels range in size from parcels less than 1-acre to over 10 acres with various residential, commercial, and institutional uses. This project will not result in any physical barriers that will divide the existing community. There is **no impact**.
- B The project does not conflict with any applicable land use plan policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. There is **no impact**.

**Sources:** Amador County General Plan and General Plan EIR, Amador County Municipal Codes, Amador County GIS



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 General Plan Mitigation Measure 4.6-8b, Development Project Evaluation, requires the County to evaluate development proposals for compatibility with nearby mineral extraction activities and mapped resources to reduce or avoid the loss of mineral resource availability.

This project will not encroach onto any of the other properties and therefore not interfere with any present or future access to known mineral resource areas. Mineral resources are separately referenced in the deed to the property, therefore any separate ownership or mineral rights shall remain unaffected by this project. There are no proposed structures or changes in use, therefore there is **no impact** to any mineral resources.

Sources: Planning Department, Amador County General Plan and General Plan EIR.

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 ground borne vibration or ground borne 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 type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion:**

- A New noise levels contributed by the proposed project would include conversations by customers in the front of the store and from outdoor seating and live music in the backyard. The applicant has stated that the front seating will be utilized year round with seating up to 10 people, and seasonal for the backyard. The backyard will be utilized for outdoor seating up to 25 people and live music on the weekends and holidays between the hours of 1:00 pm to 7:00 pm. Additionally, the project’s use under the proposed zoning and General Plan designations would have noise levels limited within the 75 decibel limit as stated in the General Plan. The noises generated by these activities are not atypical to, or unusual in commercial zoned properties. 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. At this time, **impacts are less than significant.**
- B The proposed project would not include the development of land uses that would generate substantial ground-borne vibration, noise, or use construction activities that would have such effects for any extended period of time. There are no proposed structures whose construction necessitate the use of heavy equipment for an extended period of time. However, as the project involves live music, there may be small amounts of non-excessive ground borne vibrations. The existing site-conditions of the parcel, zoning setbacks, and surrounding context of the site ensure there is a **less than significant impact.**
- C The nearest airport is over 12 miles away (Westover Field Airport, Martell). **No impact** would result.

**Source:** Planning Department.

<b>Chapter 14. POPULATION AND HOUSING –</b> Would the project:	<b>Potentially Significant Impact</b>	<b>Less Than Significant Impact with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion:**

A & B 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. At this time, **there are no impacts.**

DRAFT

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 type="checkbox"/>	<input checked="" type="checkbox"/>
b) Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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:**

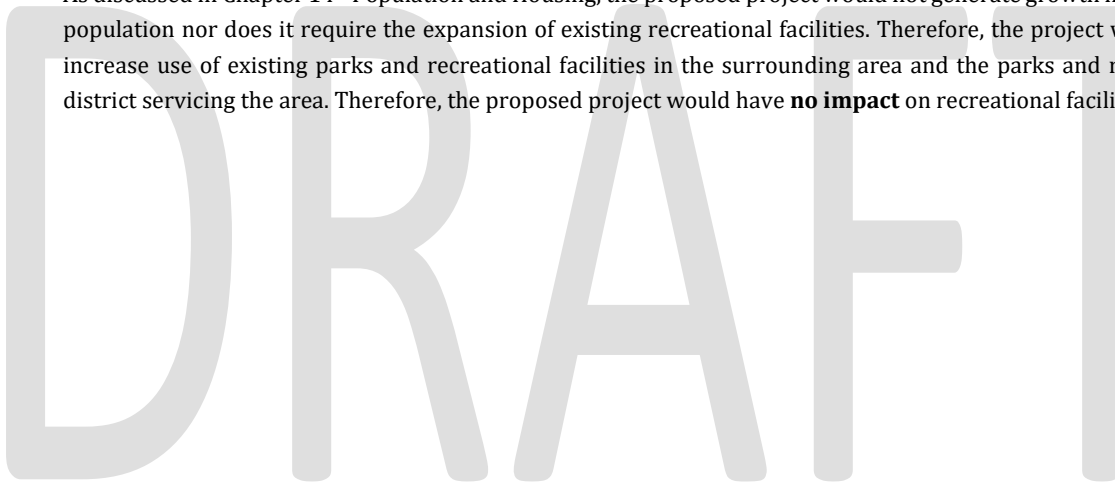
- A. Fire protection services in Amador County are provided by CalFire/Amador Fire Protection District. The nearest fire station is the Lockwood fire station located at 19715 Shake Ridge Rd, Volcano, approximately 3 miles north (driving distance) of the project site and the Amador Fire Protection District Station 114 located approximately 3.4 miles south of the project site. Additional development may incrementally increase the demand for fire protection services however, Amador County Code requires the payment of fire protection impact fees to help offset the impacts that new development has on 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. At this time, **there are no impacts.**
- 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 structures are built. It is anticipated that future 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. At this time, **there are no impacts.**
- 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. At this time, **there are no impacts.**
- D-E. The proposed 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 project would have **no impact** on recreational facilities.



<b>Chapter 17. TRANSPORTATION / TRAFFIC -</b> Would the project:	<b>Potentially Significant Impact</b>	<b>Less Than Significant Impact with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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. At this time, **there are no impacts.**

- 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. At this time, **there are no impacts.**

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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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 Miwuk 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

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. At this time, **there are no impacts.**

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

<b>Chapter 19. UTILITIES AND SERVICE SYSTEMS –</b> Would the project:	<b>Potentially Significant Impact</b>	<b>Less Than Significant Impact with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion:**

A If increased water or wastewater capacity is required, applicants must pay their fair share of the necessary improvements. Where septic or connection to an existing wastewater system is not feasible, the County will require new development to demonstrate a means of wastewater collection, treatment, and reuse or disposal will be created that would be operated by an approved entity with adequate technical, financial, and managerial resources to assure safe and effective operation. Any such proposed method shall be consistent with goals and objectives of the General Plan as well as any planning goals of the operating entity.

This project may result in the construction of individual water supply wells and onsite wastewater treatment systems. Such construction is relatively limited in scope. At this time, **there are no impacts.**

B The project is not located in an area of the County recognized as challenging in terms of groundwater yield. The project is unlikely to demand unusually high amounts of water. At this time, **there are no impacts.**

C The project will not be served by a wastewater treatment provider. **There is no impact.**

D Amador County meets its mandated capacity requirements through waste hauler contracts. Provided the project utilizes the Amador County franchise waste hauler, permitted waste disposal capacity is achieved. Kiefer landfill is expected to approach capacity between the years 2035 - 2060. The franchise hauler also contracts with Lockwood Landfill in Nevada to provide backup capacity. At this time, **there are no impacts.**

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 may bring impacts to less than significant levels. However, a more detailed analysis is premature at this time because there is no specific development proposed. (*Friends of the Sierra Railroad (2007) 147 Cal.App.4th 643.*) All future development will require a discretionary use permit. The County will be able to perform a more detailed environmental analysis when a development application is submitted, which will then allow for the analysis of reasonably foreseeable environmental impacts. (*Id.*). At this time, **there are no impacts.**



<b>Chapter 20. WILDFIRE</b> – If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:	<b>Potentially Significant Impact</b>	<b>Less Than Significant Impact with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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. 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. At this time, **there are no impacts**.
- C No associated infrastructure that may exacerbate wildfire risk is proposed. The project is regulatory in nature, and no development is proposed. At this time, **there are no impacts**.
- D The project will not expose people or structures to any new significant risks regarding flooding, landslides, or wildland fire risk. The project shall conform to all standard Fire Safety Regulations as determined by Amador County Fire Department and California Building Codes. At this time, **there are no impacts**.

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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion:**

A As discussed in the individual sections, there is no development proposed with the proposed project; 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 may be required for any potential future discretionary development. The County performed a general analysis of the environmental impacts in the Environmental Impact Report for the General Plan. A more detailed analysis is premature at this time because there is no specific development proposed. (*Friends of the Sierra Railroad* (2007) 147 Cal.App.4th 643.). The County will be able to perform a more detailed environmental analysis when a development application is submitted, which will then allow for the analysis of reasonably foreseeable environmental impacts. (*Id.*). Until then, there are **no identified impacts** from this project.

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 project; 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 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. Based on the analysis in this Initial Study Checklist, the project is consistent with the County’s General Plan land use projections. The land use

and density has been considered in the overall County growth. The analysis demonstrated that the project is in compliance with all applicable state and local regulations. In addition, the project would not produce impacts that considered with the effects of other past, present, and probable future projects, would be cumulatively considerable because potential adverse environmental impacts were determined to have no impact. 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 **no 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. As discussed in Chapters 1 through 20 of this Initial Study, the project would not expose persons to substantial adverse impacts related to Aesthetics, Agricultural and Forest Resources, Air Quality, Biological Resources, Cultural Resources, Geology and Soils, Greenhouse Gas Emissions, Hazards or Hazardous Materials, Hydrology and Water Quality, Land Use and Planning, Mineral Resources, Noise, Population and Housing, Public Services, Recreation, Transportation and Traffic, or Utilities and Service Systems. The effects to these environmental issues were identified to have no impact. No other direct or indirect adverse effects on human beings have been identified resulting in **no 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; Cultural Resources Evaluation of the Sizemore Country Store Project - Duke Cultural Resources Management, LLC; 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.

- |  |                      |
|--|----------------------|
| 1. Notice of Intent (NOI).   | Initial<br><u>RB</u> |
| 2. GIS List. <u>300</u> ft. Plus <u>Mapbook, Emails, CERANet</u><br><small>(Distance) (Special Instructions: e.g. to end of access road)</small> | <u>RB</u>            |
| 3. Checked <u>all</u> APN pages of those parcels from the GIS list for "NOTES" or<br>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:<br>_____<br>_____<br>_____   |                      |

**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 UP 22-3-2 Sizemore, Outdoor use in al by placing copies in 31 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 June 20, 22 at Jackson, California.

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

Executed at Jackson, California on June 20, 22

Signed 

Witness \_\_\_\_\_



AMADOR COUNTY COMMUNITY DEVELOPMENT AGENCY  
**PLANNING DEPARTMENT**

PHONE: (209) 223-6380  
FAX: (209) 257-5002  
WEBSITE: [www.amadorgov.org](http://www.amadorgov.org)  
E-MAIL: [planning@amadorgov.org](mailto: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 Use Permit (UP-22;3-2) to allow up to 2 tables in front of the store, 5 tables in the rear, and live music on weekends and holidays in a C1 Retail Commercial and Office Zone district for APN 029-043-007.

**PROPERTY OWNERS:** Tommy Sizemore  
**SUPERVISORIAL DISTRICT:** 3  
**LOCATION:** 16146 Main St, Volcano, CA 95689

**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 and indicate there are no extraordinary or unique environmental issues not normally mitigated for with the County's standard conditions which would be applied to this type of project. 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 June 20, 2022 and ends on July 12, 2022.

**PUBLIC HEARING:** Notice is hereby given said Planning Commission will hold a public hearing on this project at the County Administration Center, Board of Supervisors Chambers, 810 Court Street, Jackson, California, on July 12, 2022 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](mailto: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.

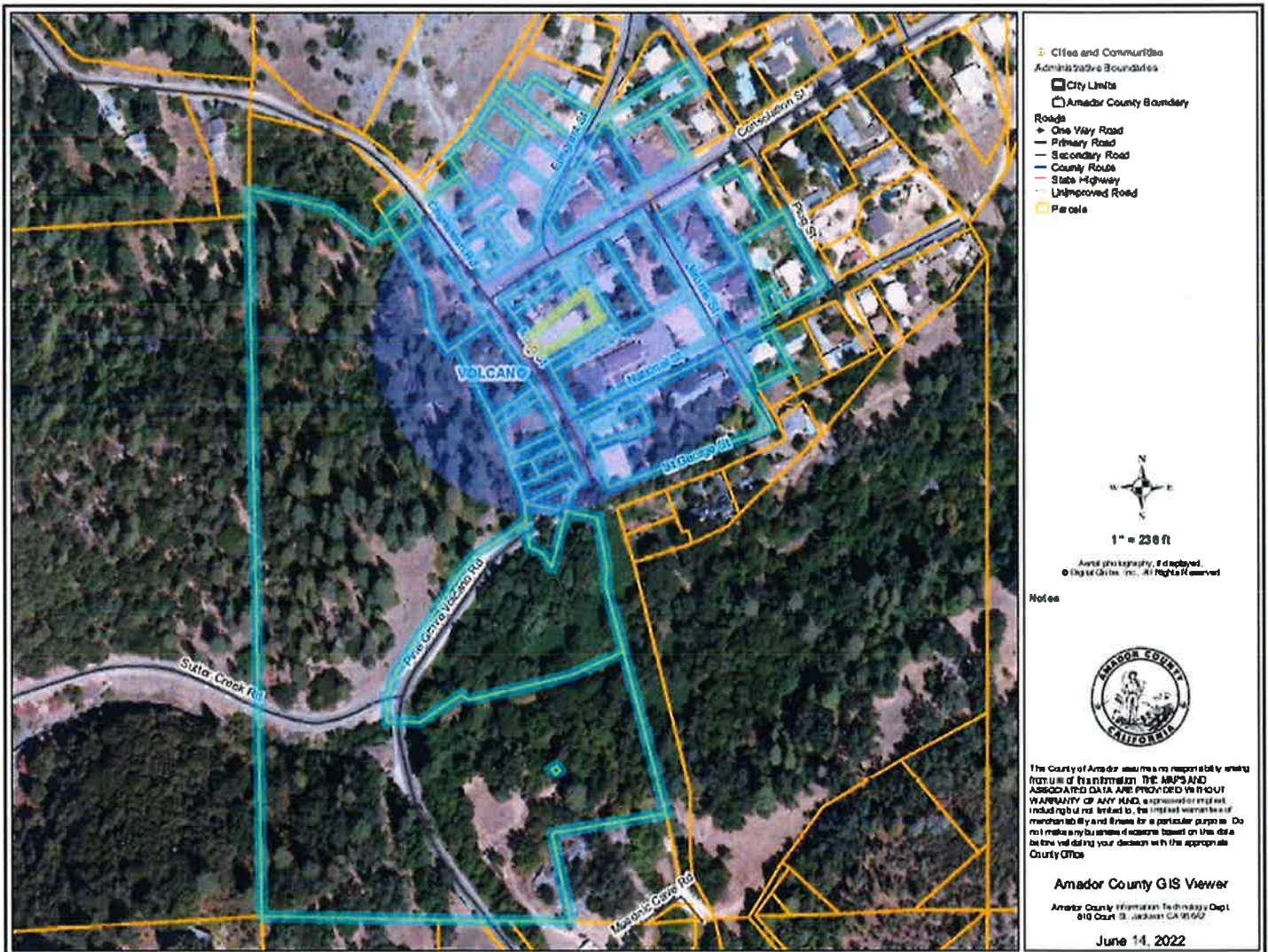
In compliance with the Americans with Disabilities Act, if you are a person with a disability and require special modification or accommodation to participate in this meeting, please contact the Amador County Planning Department, at (209) 223-6380, by email to [planning@amadorgov.org](mailto:planning@amadorgov.org). 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: June 20, 2022

SUBJECT AREA HIGHLIGHTED IN YELLOW  
 PROPERTIES WITHIN 300 FEET HIGHLIGHTED IN BLUE



- |  |                          |
|--|--------------------------|
| 1. Notice of Intent (NOI).   | Initial<br><u>RB/NIA</u> |
| 2. GIS List. <u>300</u> ft. Plus <u>Barbara M. Stein, &amp; emails</u><br><small>(Distance) (Special Instructions: e.g. to end of access road)</small> | <u>RB</u>                |
| 3. Checked <u>all</u> APN pages of those parcels from the GIS list for "NOTES" or<br>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:<br>_____<br>_____<br>_____   |                          |

**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 UP-22; 3-2 Outdoor Seating - Sizemore by placing copies in 31 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 July 19, 2022 at Jackson, California.

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

Executed at Jackson, California on July 19 2022

Signed 

Witness 



AMADOR COUNTY COMMUNITY DEVELOPMENT AGENCY  
**PLANNING DEPARTMENT**

PHONE: (209) 223-6380  
FAX: (209) 257-5002  
WEBSITE: [www.amadorgov.org](http://www.amadorgov.org)  
E-MAIL: [planning@amadorgov.org](mailto: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. **NOTE: THIS IS A REPEAT NOTICE DUE TO THE RESCHEDULING OF THE PREVIOUSLY SCHEDULED JULY PLANNING COMMISSION MEETING.**

**PROJECT NAME AND DESCRIPTION:** Request for a Use Permit (UP-22;3-2) to allow up to 2 tables in front of the store, 5 tables in the rear, and live music on weekends and holidays in a C1 Retail Commercial and Office Zone district for APN 029-043-007.

**PROPERTY OWNERS:** Tommy Sizemore  
**SUPERVISORIAL DISTRICT:** 3  
**LOCATION:** 16146 Main St, Volcano, CA 95689

**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 and indicate there are no extraordinary or unique environmental issues not normally mitigated for with the County's standard conditions which would be applied to this type of project. 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 July 19, 2022 and ends on August 9, 2022.

**PUBLIC HEARING:** Notice is hereby given said Planning Commission will hold a public hearing on this project at the County Administration Center, Board of Supervisors Chambers, 810 Court Street, Jackson, California, on August 9, 2022 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](mailto: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.

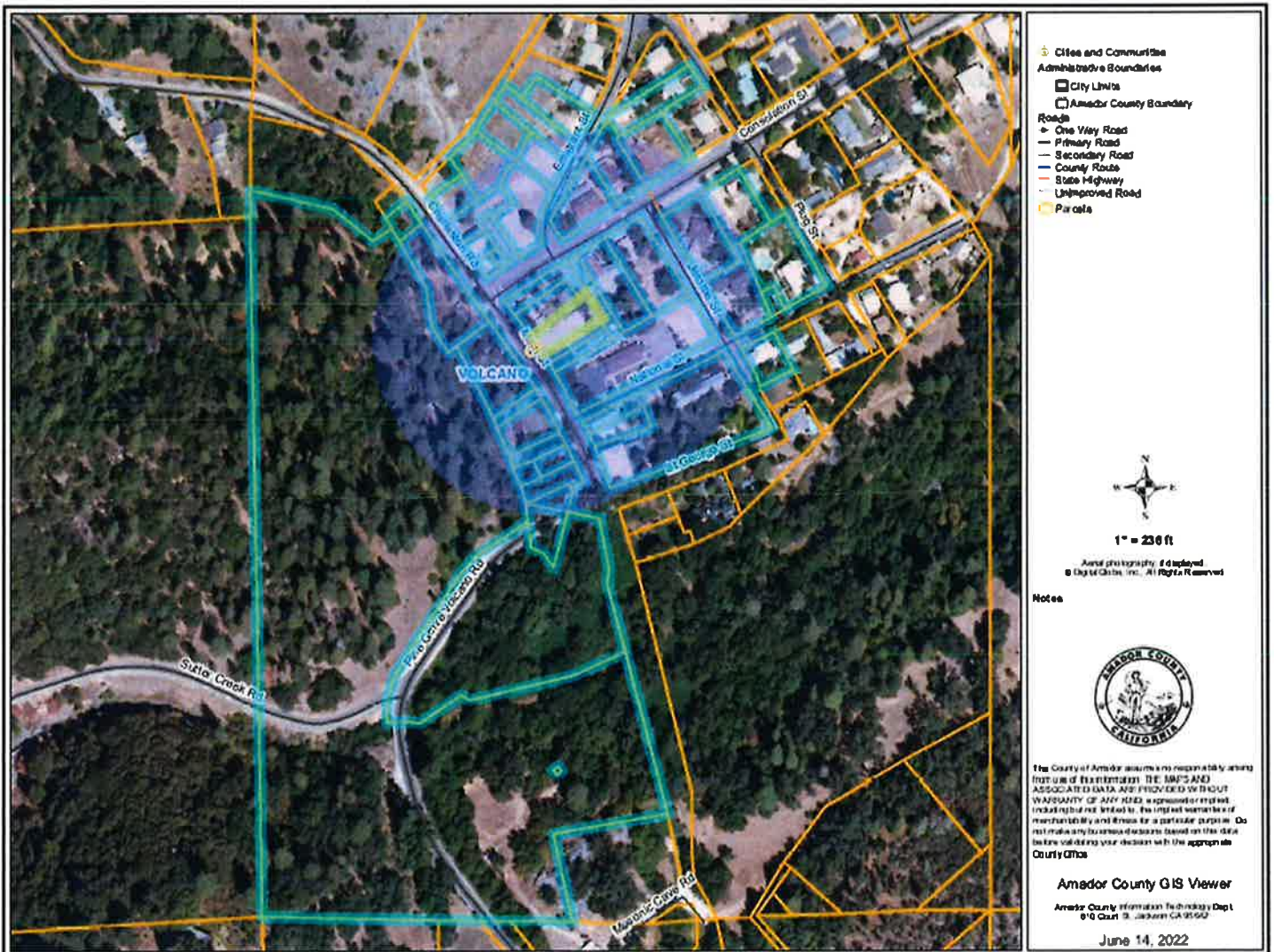
In compliance with the Americans with Disabilities Act, if you are a person with a disability and require special modification or accommodation to participate in this meeting, please contact the Amador County Planning Department, at (209) 223-6380, by email to [planning@amadorgov.org](mailto:planning@amadorgov.org). 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: July 19, 2022

SUBJECT AREA HIGHLIGHTED IN YELLOW  
 PROPERTIES WITHIN 300 FEET HIGHLIGHTED IN BLUE



BERKNER MARK H & EMERY-BERKNER  
TRACEY L TRUST  
BERKNER MARK & TRACEY TRUSTEES  
19425 MELLA DR  
VOLCANO, CA 95689

BAILEY NANCY MARIE REVOCABLE  
TRUST  
PO BOX 360  
VOLCANO, CA 95689

COUNTY OF AMADOR  
OLD ABE  
PO BOX 72  
VOLCANO, CA 95689

DOBLER JAY R & ANTOINETTE F TRUST  
PO BOX 140  
VOLCANO, CA 956890140

VOLCANO MASONIC TEMPLE ASSN INC  
VOLCANO LODGE #56 F & AM  
PO BOX 1582  
JACKSON, CA 956421582

VOLCANO COMMUNITY SERVICES  
DISTRICT  
PO BOX 72  
VOLCANO, CA 95689

THE VOLCANO COMMUNITY SERVICES  
DISTRICT  
BOX F  
VOLCANO, CA 95689

EPPERSON REVOCABLE TRUST  
EPPERSON ALAN D & DIANNE H  
TRUSTEES  
PO BOX 1152  
SUTTER CREEK, CA 95685

HIGGINS JANET L  
PO BOX 222  
VOLCANO, CA 956890222

GILLICK JOHN A LIVING TRUST  
PO BOX 75  
VOLCANO, CA 95689

VOLCANO PIONEERS COMMUNITY  
THEATRE GROUP INC  
ATTN TREASURER  
PO BOX 88  
VOLCANO, CA 95689

COUNTY OF AMADOR  
810 COURT ST  
JACKSON, CA 956422

BONNEAU BRIAN  
14490 PINE CONE LN  
PINE GROVE, CA 95665

HALL VICTORIA M  
6357 BROADWAY TER  
OAKLAND, CA 94618

KETRON FAMILY LIVING TRUST  
KETRON DOUGLAS R & DALE W COTRUSTEES  
PO BOX 12  
VOLCANO, CA 95689

GOTTSTEIN MEG SCHACHTER LIVING  
TRUST  
PO BOX 210  
VOLCANO, CA 956890210

COBAL GARAGE INC  
C/O JL KRINSKY & CO INC  
225 GORDONS CORNER RD STE 1B  
MANALAPAN, NJ 077263342

SIZEMORE TOMMY & SINGH GURINDER  
C/O SIZEMORE TOMMY  
PO BOX 353  
VOLCANO, CA 956890353

MAIN AND CONSOLATION LLC  
4033 U ST  
SACRAMENTO, CA 95817

OLD VOLCANO STATION LLC  
2891 SEE CANYON RD  
SAN LUIS OBISPO, CA 93405

ST GEORGE HOTEL VOLCANO LP  
C/O LUNDGREN SHARON J  
PO BOX 695  
PINE GROVE, CA 95665

ST GEORGE VOLCANO LLC  
2891 SEE CANYON RD  
SAN LUIS OBISPO, CA 93405

SORENSEN FAMILY TRUST  
SORENSEN MICHAEL LYN & TERECA MAE  
TRUSTEES  
1493 SONOMA DR  
MILPITAS, CA 95035

REED GERALD G & MARY S FAMILY  
TRUST  
16777 TONY LN  
SUTTER CREEK, CA 956859658

CROSBY PAUL & CHRISTINE FAMILY  
TRUST  
CROSBY PAUL M & CHRISTINE E  
TRUSTEES  
110 WOODLEAF WAY  
MOUNTAIN VIEW, CA 94040

KOREMATSU GARY & REBECCA  
PO BOX 77  
VOLCANO, CA 956890077

GORDON EDWARD & MATERNE  
SAMANTHA  
21432 NATIONAL ST  
VOLCANO, CA 95689

FISHER LINDA TRUST  
MCCALL MEGGAN FISHER SUCCESSOR  
TRUSTEE  
2612 HARKNESS ST  
SACRAMENTO, CA 95818

MCCANDLESS PATRICIA J REVOCABLE  
TRUST  
25917 N CHEROKEE LN  
GALT, CA 95632

HAGERMAN DAVID H & WELS SUSAN  
REBECCA TRUST  
29 BAY VISTA DR  
MILL VALLEY, CA 949411604

**STEIN BARBARA M  
PO BOX 271  
VOLCANO, CA 95689**

**COMMENTS**



Planning Department <planning@amadorgov.org>

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## TAC Project Referral - UP-22;3-2 Sizemore Outdoor Use in C1 - Completeness and Environmental Review

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AFPD Headquarters <afpdhdq@amadorgov.org>

Thu, Apr 7, 2022 at 11:31 AM

To: Amador County Planning Department <planning@amadorgov.org>

CFD Annexation condition applies. Thank you.

Nicole Cook  
Amador Fire Protection District  
[810 Court Street](#)  
[Jackson, CA 95642](#)  
209-223-6391-phone  
209-223-6646-fax

This communication may contain legally privileged and confidential information sent solely for the use of the intended recipient, and the privilege is not waived by the receipt of this communication by an unintended and unauthorized recipient. If you are not the intended recipient of this communication you are not authorized to use it in any manner, and must either immediately destroy it or return it to the sender. Please notify the sender immediately by telephone at (209) 223-6391 if you received this communication in error."

[Quoted text hidden]



Planning Department <planning@amadorgov.org>

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## TAC Project Referral - UP-22;3-2 Sizemore Outdoor Use in C1 - Completeness and Environmental Review

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Richard Vela <rvela@amadorgov.org>

Mon, Apr 11, 2022 at 2:58 PM

To: Amador County Planning Department <planning@amadorgov.org>

Cc: Mark Hopkins <mhopkins@amadorgov.org>

Ruslan,

The Department of Transportation and Public Works has reviewed UP-22;3-2. The Department requires the proposed outdoor dining in front of the store is situated outside of the road right-of-way. I believe that the sidewalk area under the front overhang of the building is on private property but anything past that is right of way.

On Thu, Apr 7, 2022 at 10:20 AM Amador County Planning Department <planning@amadorgov.org> wrote:

[Quoted text hidden]

--

*Richard R. Vela, P.E.*

*Director*

*Amador County Department of Transportation and Public Works*

*810 Court Street*

*Jackson, CA 95642*

*209-223-6429 Main*

*209-223-6457 Direct*

*[rvela@amadorgov.org](mailto:rvela@amadorgov.org)*



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**Public Comment for the Record/April 21 Hearing on Sizemore Use Permit UP-22;3-2**

3 messages

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**gottstein@volcano.net** <gottstein@volcano.net>  
To: rbratan@amadorgov.org, Amador County Planning Department <planning@amadorgov.org>

Sat, Apr 16, 2022 at 4:53 PM

TO: Amador Planning Department and Amador County Technical Advisory Committee

I am requesting that the attached (3) documents be submitted as my public comment for the upcoming April 21, 2022 TAC hearing to be distributed to the individual TAC members and also be entered into the public record for this use permit application as it moves through the review process.

-

Please confirm receipt of this information and confirm that it will be available to the TAC for consideration at the April 21, 2022 meeting.

Thank you,

Meg Gottstein  
(209) 296-3333

-

Meg Schachter Gottstein

cell: (209) 304-5931; landline: (209) 296-3333

**"Sorrow in the face of aging would be a poor response to such good fortune."** Margaret Renkl

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**3 attachments**

-  **PUBLIC COMMENT ON AGENDA ITEM 1, APRIL 21, 2022 TAC MEETING.pdf**  
202K
-  **ATTACHMENT--PHOTOS to PUBLIC COMMENT ON AGENDA ITEM 1.pdf**  
1482K
-  **April\_2022\_Letter\_Sizemore General Store.pdf**  
465K

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**Amador County Planning Department** <planning@amadorgov.org>  
To: gottstein@volcano.net  
Cc: rbratan@amadorgov.org

Mon, Apr 18, 2022 at 9:08 AM

Received, thank you. We'll add this email along with the three documents to the record. Additionally comments that have been received after our initial upload will be available as hard copies for the TAC members and the public.

Thank you,  
Ruslan

Amador County Planning Department  
810 Court Street  
Jackson, CA 95642  
(209) 223-6380  
[planning@amadorgov.org](mailto:planning@amadorgov.org)

[Quoted text hidden]

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**Meg Gottstein** <gottstein@volcano.net>  
To: Amador County Planning Department <planning@amadorgov.org>

Mon, Apr 18, 2022 at 9:19 AM

Thank you!

Sent from my iPhone

On Apr 18, 2022, at 9:09 AM, Amador County Planning Department <[planning@amadorgov.org](mailto:planning@amadorgov.org)> wrote:

[Quoted text hidden]

## **PUBLIC COMMENT ON AGENDA ITEM 1, APRIL 21, 2022 MEETING OF THE TECHNICAL ADVISORY COMMITTEE**

Regarding Sizemore Request for a Use Permit to allow up to 2 tables in front of store, 5 tables in the rear, and live music on weekends and holidays

To the members of the Technical Advisory Committee:

I am a resident of Volcano and in addition to these comments I attach a letter I wrote to Mr. Sizemore about my concerns, as well as photographs to illustrate the issues summarized below.

I ask that you include them in the record of this use permit application.

My concerns speak directly to the issue you are deciding today—*whether or not to adopt a Notice of Exemption for the project per CEQA Guidelines*. I encourage you to only do so if the project application is modified as recommended below.

Mr. Sizemore's music venues all last spring and summer in his back yard (apparently without the requisite use permit he is applying for now) created "*substantial change in existing noise/vibration levels in the vicinity.*" In addition to the description in the attached letter, I've attached pictures of the posters (from the Sizemore general store website) that show the equipment he set up and the type of concerts he held last year in his 20x20 back yard. Last summer I also sent to Mr. Ruslan Bratan of your Planning Department audio recordings to illustrate the resulting noise impact.

Per the attached letter, in a phone conversation with Mr. Sizemore he said he acknowledged this noise concern and intended to now offer only acoustic music with at most a small amp to feed a vocal microphone. However, without any specific parameters specified in his application with regard to amplification and maximum decibel levels, there is no assurance that this will be the case.

***Therefore, I urge you to direct Mr. Sizemore to modify his use permit application as a condition of exempting it from CEQA review, as follows:***

***"The outdoor music offered under this permit will be limited to acoustic music, but may include limited vocal amplification, so long as it does not exceed a noise level of 75-decibels." (This decibel level limit is consistent with the standards***



***presented under Section 4.11 of the County's most recent draft General Plan Update.)***

Mr. Sizemore's proposal to seat 10 people in front of his store in benches with tabletops would also raise CEQA issues, namely in the "change in pattern, scale or character of general area of project." Not to mention a significant public safety issue. As described in the attached letter and illustrated in the attached photos, his proposal would block pedestrian passage along our Main Street, forcing pedestrians to walk out between parked cars into the street to continue walking along our Main street. Patrons who wish to take-out food from the General Store and sit outside to eat it can easily avail themselves of the 7 picnic tables right across the street from his store in our townpark or use the public picnic table set up less than 20 feet away from his store (but set back from the sidewalk).

***Therefore, I also urge you to direct Mr. Sizemore to modify his use permit application by removing this request for outdoor dining in front of his store as a condition of exempting it from CEQA review.***

These are the two main concerns I have that require either 1) changes to Mr. Sizemore's permit application or 2) a determination by the TAC that the project cannot be exempt from CEQA. In which case these and possibly other environmental impacts should be examined in a CEQA review, along with appropriate mitigation measures.

***Thank you for your consideration of these issues.***

Meg Gottstein

PO Box 210, Volcano California 95689

(209) 296-3333

ATTACHMENTS:

Letter dated April 15, 2022 to Mr. Sizemore

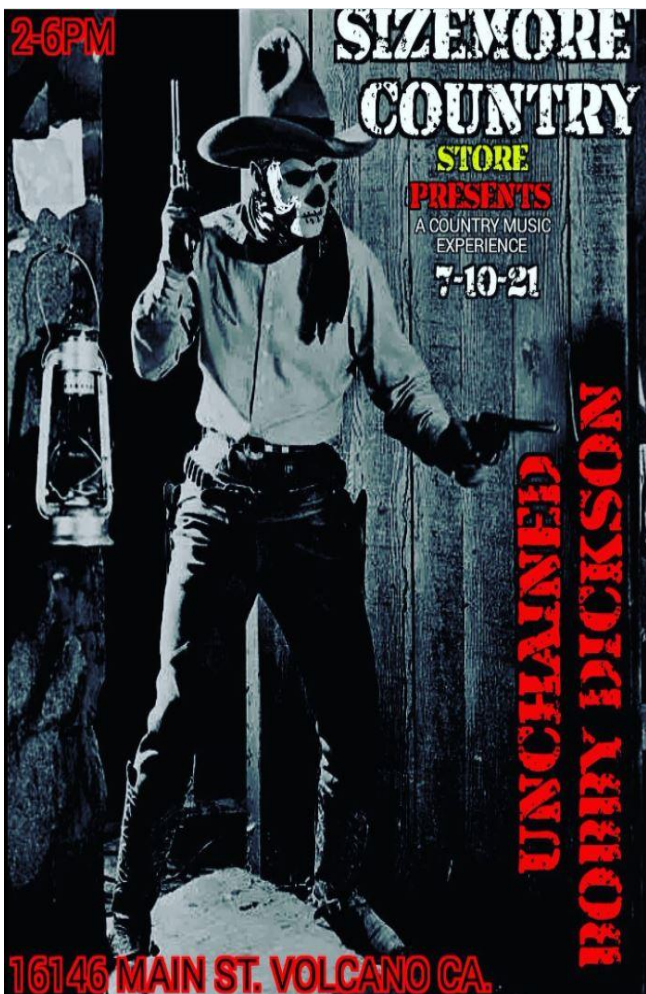
Attachment—Photographs

ATTACHMENT TO PUBLIC COMMENT FROM MEG GOTTSTEIN RE: USE PERMIT APPLICATION UP-22;3-2 FOR EXPANSION OF OUTSIDE DINING AND LIVE MUSIC

The purpose of this attachment is to augment my public comment statement to the TAC April 21, 2022 hearing, and illustrate the concerns I articulated in that statement and in my letter to Mr. Sizemore dated April 15, 2022. All of which (with one exception) are currently posted on the Sizemore General Store public website and/or facebook pages:

1) NOISE LEVELS UNDER PROPOSAL FOR LIVE OUTDOOR MUSIC

These are a couple examples of outdoor musical offerings at Sizemore Country Store in 2021 and the amplification equipment installed in the 20x20 back yard (shown in second poster).



This pictures shows an ample interior space at Sizemore General Store for amplified musical offerings (that he has also offered in the past), that can serve patrons who want to experience this particular ambiance, but spare neighbors from the noise levels we experienced last spring/summer from the amplified live music set up in the back yard.

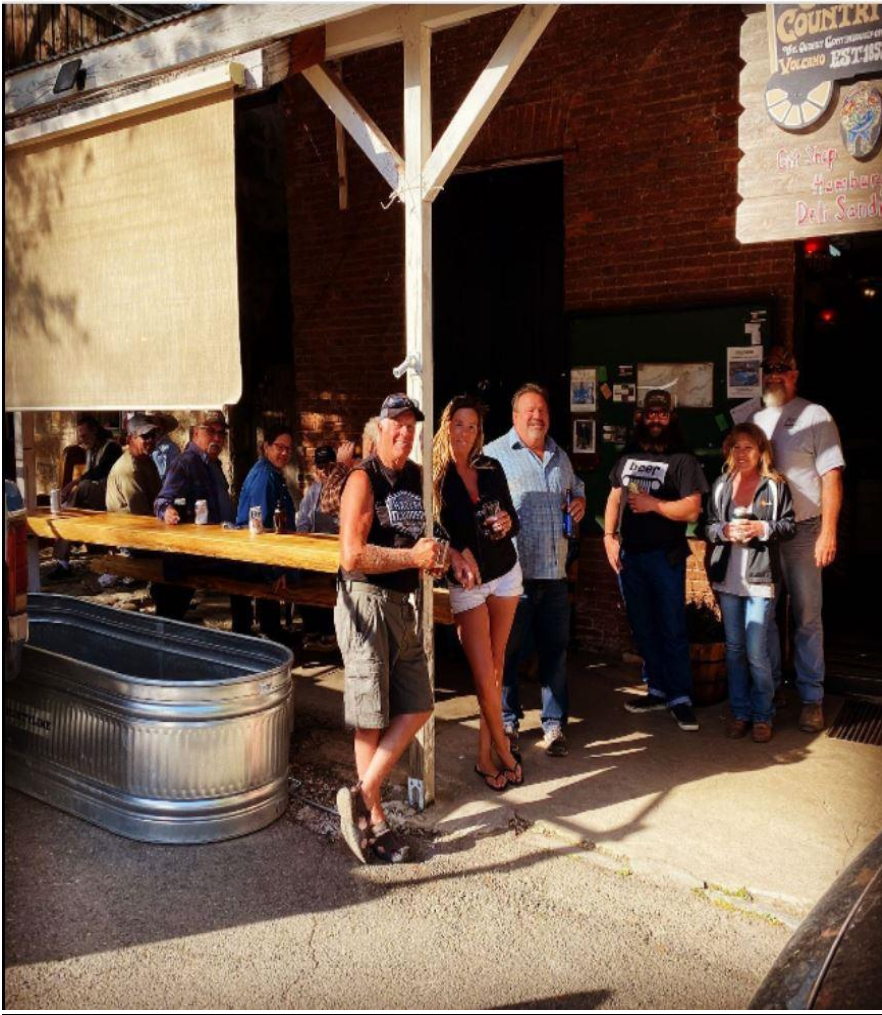


## 2) BLOCKAGE OF MAIN STREET SIDEWALK UNDER PROPOSAL

The following pictures show the sidewalk on Main street 1) prior to the installation of Mr. Sizemore of bolted benches and table tops in front of the store 2) how the access looks now with patrons using this area for expanded outdoor dining in front of his store, and 3) Current street views of Main Street sidewalk.

Main Street Sidewalk April 2017:





Main Street Sidewalk with expanded outdoor dining in front of Sizemore General Store (2021 to present)

Below are street views of Main Street sidewalk and front of the Sizemore General Store:



### 3) POTENTIAL FIRE/SMOKE/SAFETY ISSUES:

This is the BBQ unit that the Sizemore General Store currently uses for indoor and outdoor diners: Originally installed in spring 2021 in front of his store and blocking sidewalk access and parking, the unit and fencing was removed from that location by order of the County. As indicated below, it now sits in his small back yard. The entrance to his back yard for diners is advertised with a “BBQ” directional sign installed on a pole alongside the town public restrooms, and a BBQ entrance sign on the gate . This unit is currently fired up regularly for both inside and outside dining—and announced with a “BBQ today” sign in front of the store. [See also street view picture above.]



Initial location of BBQ unit until removed by order of the County



Current location of BBQ unit in small 20x20 back yard of Sizemore Country store where outdoor dining for up to 25 additional patrons is proposed, plus live music, under his current use permit application. Mr. Sizemore says this is a wood-fired BBQ, but uses propane gas to start it up. See the propane fuel cannisters that in the past have been stored outside (and in the heat) even when not in use.





Source: Photo taken from adjacent property.

Sizemore General Store  
PO Box 353  
Volcano California  
Delivered by email and USPS

April 15, 2022

RE: Concerns Regarding Use Permit Application UP-22;3-2 for Expansion of Outside Dining and Live Music

Dear Mr. Sizemore:

As one of your neighbors, I reached out to you this past Tuesday to discuss concerns that I have regarding your application to expand outside dining and live music at the Country store. The purpose of this letter is to summarize that phone conversation, which I found very cordial, constructive, and responsive. And I also sent you a copy of this summary on Wednesday and asked you to get back to me within 2 days if you had any concerns with my characterization of our conversation. Since you did not, I assume that you agree with the description below.

As I said at the beginning of our phone call, offering outside dining opportunities in Volcano can be a welcome addition that many (myself included), within and outside our small village could support.

However, I also described how, with your prior expansion of outdoor dining and live music last spring and summer, there were significant adverse impacts that myself and other town resident and businesses brought to your attention. And that I was hoping you planned to effectively mitigate these impacts under your current proposal. But that the application/letter attached to your use permit did not provide sufficient information to ensure that this was the case.

In particular, last year, the small bands/artists you engaged for your back yard events were amplified so loudly that residents living up Charleston Grade and at the other edge of town (Clapboard Street) could not escape the sound. Not to mention the residents (like myself) that live adjacent or across from the small 20x20 back yard where you set up this amplification equipment. Even changing the direction of your elevated speakers (which you tried at my suggestion) made no significant change in volume level that permeated our town. There was no way getting around the noise given the amount and volume of the amplification equipment set up, which served to create a very loud "concert" setting rather than ambient dining music for a limited seating outdoor venue.

You acknowledged the problems with noise levels from your outdoor music venues last year and emphasized that they would not be repeated. Specifically, you stated that you intended to limit the outdoor music under your application to *acoustic* music, with maximum a very small amplifier for a vocal mike as you recently had done for dining music inside your country store. I responded that that such a set up outdoors would seem to easily meet the 75-decibel limit for outside noise recommended under Section 4.11 of Amador County's General Plan. But that this would also depend on the actual amplification level used by the musician(s). *I encouraged you to modify your application to clarify that you would only be offering acoustic music under your proposal, with limited vocal amplification that would meet the 75-decibel standard.* You agreed to do so prior to the April 21 hearing of the TAC Committee. I greatly appreciate your making that clarification in writing for the public record.

I was also pleased to see that your application letter commits to a 2-3 hour time limit and to afternoon and *early* evenings only, in contrast to what we experienced last year on a number of weekends.

**I can only speak for myself, but I believe that if these decibel level and time limits are made conditions of your use permit, they would address the substantial concerns over noise levels associated with your plans for outdoor live music.**

The second major concern I brought up during our phone conversation was your proposal to provide "outdoor dining in front of the store year-round", given the limited sidewalk access along our Main Street. This sidewalk, which runs in front of your store, the Bakery, the Cobblestone Theater and is the direct pedestrian route from Main Street to reach the Community Hall, the Post Office, the St George Hotel and the Union Inn, is the **ONLY** way (and only sidewalk) where any pedestrian can walk out of street traffic. And as you know, all traffic coming into and out of Volcano travels along Main Street, making it extremely dangerous for pedestrians when that sidewalk access is blocked.

I observed that when you served patrons in that manner outside your store last spring and summer, the sidewalk was completely obstructed so that pedestrians could not pass—their only option was to step through the parked cars and into the street to continue their walk down Main Street. You acknowledged that this was the case. I mentioned that I had tried to visualize a configuration in front of your store that could seat 10 people and not obstruct pedestrian access, but could not do so because the sidewalk was simply too narrow for that purpose.

I then posed the question: Why do you really need 2 tables seating 5 each right in front of your store on that sidewalk? Since there is a picnic bench/table right around the corner (less than 10 yards) in front of the Post Office that is available for patrons' use, and seven picnic

benches/tables in the public park right across the street. Year-round patrons of your establishment could easily enjoy your carry-out food on those outdoor tables without obstructing pedestrian access on our Main street sidewalk.

**You said that you would seriously consider this suggestion (to remove this aspect of your use permit application), but wanted to think more about it and consider possible other alternatives that would not create an obstruction to pedestrian passage on the Main Street sidewalk. Once you have thought more about this, I encourage you to clarify your use application in response to this concern.**

We also briefly discussed concerns I had about the potential fire issues associated with such a large commercial BBQ in your back yard that appeared to be fueled by propane, judging from the propane tanks sitting next to it. You clarified that the BBQ is wood-fired, but that these propane cannisters are used to start the unit. **I asked that you bring such cannisters out of the heat/outside and store them before and after use inside, in a fire-safe manner. You agreed to do this.** There may be other fire safety issues associated with the use and storage of such a large commercial BBQ outside (especially during such hot summer months) that the Technical Advisory Committee or others may ask you to address, but the propane tanks were the most obvious one to me.

Those were the issues we discussed the other day, reflecting my major concerns in reading your use permit application/letter. There may be additional issues that arise during the public hearing/review process by other members of our community, and if there are I will also express my views on them.

As I said over the phone, I do plan to also forward this letter to the Planning Department/Technical Assistance Committee so that it is included in the public record. But our phone conversation was very encouraging to me that you would proactively augment/clarify your use application to effectively address these concerns.

Sincerely,



Meg Gottstein

(209) 296-3333; gottstein@volcano.net

*cc: Amador Planning Department / Technical Advisory Committee*



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## Use permit application for Tommy Sizemore, Volcano

2 messages

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**Anna Katharina Ernst** <katharina@volcano.net>  
To: planning@amadorgov.org

Sat, Apr 16, 2022 at 9:20 AM

To whom it may concern:

I am a local business owner in Volcano and have several concerns regarding this permit.

### Sidewalk issues

I have repeatedly not been able to use the public sidewalk in front of the general store, the way the benches are bolted down do not leave enough room to get through if there are more than a few customers. (I am physically impaired and had to walk around the parked cars on the street at times.)since this is a major thoroughfare in town there should be unimpeded access for pedestrians .

### Restroom situation

There is only one public restroom in town and I have had numerous customers complain about the condition ( no toilet paper, not clean, no running water at times , faucet not properly working , etc).

I was told it was Mr Sizemores responsibility since his customers have to use the facility as well .

I am concerned how additional seating and live concerts can handle the one public restroom and the additional water requirements.

I am sending a separate email with photos concerning this .

Also the noise factor is an issue, last year there had been concerts behind the general store and the noise level was unacceptable;we had dinner at a neighboring establishment and had trouble having a normal conversation.

There are a number of residences right next to the general store that would be impacted quite a bit.( complaints to the owner were ignored.)

Also concerning is the amount of garbage that would be generated,I have seen the little dumpster overloaded and garbage bags next to it, not to mention that the dumpster sits right on Main Street and is a very unsightly eyesore. It is right across from the picnic tables where visitors can sit.

I do not feel this is a welcome addition to our historic town, (there has been a lack of respect I have encountered from Mr Sizemore , unfortunately.)

Please consider these issues in your permit process.

Hoping for a solution that will work for all of us.

Sincerely, Katharina Ernst  
Volcano Gallery

Ps : Fotos will be sent by separate email.  
Sent from my iPhone

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**Amador County Planning Department** <planning@amadorgov.org>  
To: Anna Katharina Ernst <katharina@volcano.net>

Mon, Apr 18, 2022 at 9:06 AM

Received, thank you. We'll add this email along with the photos you sent to the record.

Thank you,  
Ruslan

Amador County Planning Department  
810 Court Street  
Jackson, CA 95642  
(209) 223-6380  
planning@amadorgov.org

[Quoted text hidden]



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## Restrooms in Volcano and dumpster

1 message

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Anna Katharina Ernst <katharina@volcano.net>  
To: planning@amadorgov.org

Sat, Apr 16, 2022 at 9:29 AM

Sent from my iPhone

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### 4 attachments



**IMG\_1912.jpg**  
103K



**IMG\_3144.jpg**  
77K



**IMG\_3145.jpg**  
63K



**IMG\_3146.jpg**  
62K




 **ACES**  
WASTE SERVICES INC  
866-488-2237







 MALDEN





Ruslan Bratan <rbratan@amadorgov.org>

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## AMA-26-PM 4.644 Sizemore Country Store, Use Permit

2 messages

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**Bauldry, Paul@DOT** <paul.bauldry@dot.ca.gov>  
To: Ruslan Bratan <rbratan@amadorgov.org>  
Cc: "Ponce, Gregoria@DOT" <gregoria.ponce@dot.ca.gov>

Mon, Apr 18, 2022 at 3:40 PM

Hello Ruslan,

The California Department of Transportation (Caltrans) appreciates the opportunity to review and comment on the Sizemore Country Store Use Permit project requesting a Use Permit (UP) to allow up to two (2) tables in front of the store and five (5) tables in the rear of the store. There will be live music on weekends and holidays in a C1 Retail Commercial and Office Zone District.

The proposed project is approximately 2.5 miles from State Route (SR) 26. The Assessor's Parcel Number (APN) is 029.043.007.

Caltrans has no additional comments at this time. However, Caltrans requests to be included in the review process for all future development at this location.

Thank you.

### **Paul Bauldry**

Caltrans District 10

Office of Rural Planning

Division of Planning, Local Assistance, and Environmental

1976 E. Dr. Martin Luther King Jr Blvd.

[Stockton CA 95205](#)

Telework # 209.670.9488

---

**Ruslan Bratan** <rbratan@amadorgov.org>  
To: "Bauldry, Paul@DOT" <paul.bauldry@dot.ca.gov>  
Cc: "Ponce, Gregoria@DOT" <gregoria.ponce@dot.ca.gov>

Tue, Apr 19, 2022 at 8:20 AM

Received thank you.

### **Ruslan Bratan**

Planner | Amador County Planning Department

810 Court Street, Jackson, CA 95642

[rbratan@amadorgov.org](mailto:rbratan@amadorgov.org) | (209) 223-6332

[Quoted text hidden]



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## TAC Project Referral - UP-22;3-2 Sizemore Outdoor Use in C1 - Completeness and Environmental Review

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**Anna Cheng** <acheng@auburnrancheria.com>  
To: Amador County Planning Department <planning@amadorgov.org>

Fri, Apr 29, 2022 at 3:15 PM

Dear Amador Planning Department,

On behalf of the United Auburn Indian Community's Tribal Historic Preservation Department, thank you for the notification about the project referenced above. We have reviewed the project location and determined that it falls outside of the UAIC's geographic area of traditional and cultural affiliations. Therefore, we will not be commenting on the project.

I would like to also alert your attention to our preferred online submission portal linked below. Please use the following portal to submit all new and incoming notifications. It will provide an automatic response that the notification was received and provide a copy of the filled out form. Please direct all incoming letters to our Cultural Regulatory Specialist, Ms. Anna Starkey, UAIC's Tribal Historic Preservation Officer, Mr. Matthew Moore, or UAIC's Tribal Chairman, Gene Whitehouse. Notifications via other methods may be missed or delayed. Please use the portal below for faster response. Thank you.

<https://auburnrancheria.com/programs-services/tribal-preservation/>

Best,

Anna Cheng

*The United Auburn Indian Community is now accepting electronic consultation request, project notifications, and requests for information! Please fill out and submit through our website. Do not mail hard copy letters or documents.*  
<https://auburnrancheria.com/programs-services/tribal-preservation> **Bookmark this link!**



**Anna Cheng**  
Cultural Regulatory Assistant  
Tribal Historic Preservation Department | UAIC  
10720 Indian Hill Road  
Auburn, CA 95603  
Cell: (530) 492-4822  
[acheng@auburnrancheria.com](mailto:acheng@auburnrancheria.com) | [www.auburnrancheria.com](http://www.auburnrancheria.com)

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Nothing in this e-mail is intended to constitute an electronic signature for purposes of the Electronic Signatures in Global and National Commerce Act (E-Sign Act), 15, U.S.C. §§ 7001 to 7006 or the Uniform Electronic Transactions Act of any state or the federal government unless a specific statement to the contrary is included in this e-mail.



# VOLCANO THEATRE COMPANY

ESTABLISHED 1974

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April 21, 2022

To: The Amador County Technical Advisory Committee

The Volcano Theatre Company has proudly been producing live theater continuously since 1974. We come to you today in hopes that you will take into consideration the following concerns we have in allowing neighbors to have dining tables on the sidewalk in front of the Country Store, as well as live music on the premises.

- If you are familiar with Volcano, you know we have nearly shared stone walls that are only inches apart. Even now you can hear the loud TV on in the Country Store through the walls and into the Cobblestone Theatre, and that is just the TV;
- The historic stone facade in the Cobblestone cannot and will not be changed or amended in any way; we have and will stay true to that;
- The Volcano Main Street businesses have been able to coexist in harmony for years and years. We have been respected and been good neighbors to all previous Country Store owners, and continue to support Mr. Sizemore in his ownership of the store. He's done good things inside. We frequent it often. We ask that he respect the VTC as well;
- At this time, we are concerned with the expansion of his seating area into the limited cobble rock sidewalk in front of his store. The store was remodeled and has already added many seats and tables inside, as well as adding some seating and tables in his backyard. The sidewalk is for locals and pedestrians alike. It is the only sidewalk in Volcano. And then there is the noise factor from those using those tables right outside our front door;
- We are adamantly opposed to any live music during any performance. Possibly acoustic music would work, but nothing amplified and never during a performance. He can check with us as we have our schedule months in advance. Our back door and yard connects to the back yard of the Country Store. Any music will be heard inside our facility and make it impossible for our patrons to enjoy their day or night at the theatre. This music would also impact the Amphitheatre;
- In addition, we challenge many of the signatures on the petition. Any signatures without addresses are not valid. There are at least 12 out-of-county signatures and several out-of-Volcano signatures (Ceres, Manteca, Carson City, Valley Springs, Jackson, to name a few). None of this effects them.

We thank you in advance for your consideration in this manner, and hope we can resolve it in a peaceful and professional way.

Sincerely,  
The Volcano Theatre Company



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## TAC Project Referral - UP-22;3-2 Sizemore Outdoor Use in C1 - Environmental Review

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Michelle Opalenik <mopalenik@amadorgov.org>

Tue, May 31, 2022 at 5:09 PM

To: Amador County Planning Department <planning@amadorgov.org>

### EH Comments:

7, E: The project is currently served by an on-site sewage disposal system, which was evaluated in 2021 by a qualifier professional when the kitchen and menu were expanded. This Department does not expect that adding outdoor seating will impact the existing system. Owner is advised to care for the system by avoiding grease disposal into the system, and regularly servicing the system.

19,C: The project is currently served by an on-site sewage disposal system, which was evaluated in 2021 by a qualifier professional when the kitchen and menu were expanded. This Department does not expect that adding outdoor seating will impact the existing system. Owner is advised to care for the system by avoiding grease disposal into the system, and regularly servicing the system.

19,B: The restaurant is provided water by Volcano Community Services District. The addition of outdoor seating will not impact the source of potable water.

As this UP pertains to outdoor seating only, the EH Department has only one proposed condition at this time:

For the protection of staff and outdoor diners, the open air barbecue in the backyard of the food facility shall be separated from public access to prevent food contamination or injury to the public by using ropes or other approved exclusion methods. This is in accordance with CA Health and Safety Code Section 114143(c).

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[Quoted text hidden]

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*Michelle Opalenik*

Michelle Opalenik, Director  
Amador County Environmental Health Department  
810 Court Street  
Jackson, CA 95642  
(209) 223-6439  
(209) 223-6536 (Direct)



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## TAC Project Referral - UP-22;3-2 Sizemore Outdoor Use in C1 - Environmental Review

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AFPD Headquarters <afpdhdq@amadorgov.org>

Wed, Jun 1, 2022 at 3:31 PM

To: Amador County Planning Department <planning@amadorgov.org>

Cc: Stacy Powrozek <spowrozek@amadorgov.org>

Hi Ruslan. Yes, this email overrides the previous. I apologize for the inconvenience.

Nicole Cook  
Amador Fire Protection District

On Jun 1, 2022, at 14:49, Amador County Planning Department <planning@amadorgov.org> wrote:

On April 7th we received a comment from AFPD requiring CFD annexation for this project. Does this email override the previous comments?

Thanks!  
Ruslan

Amador County Planning Department  
810 Court Street  
Jackson, CA 95642  
(209) 223-6380  
planning@amadorgov.org

On Wed, Jun 1, 2022 at 2:01 PM AFPD Headquarters <afpdhdq@amadorgov.org> wrote:

CFD annexation condition does NOT apply.

Nicole Cook  
Amador Fire Protection District  
810 Court Street  
Jackson, CA 95642  
209-223-6391-phone  
209-223-6646-fax

This communication may contain legally privileged and confidential information sent solely for the use of the intended recipient, and the privilege is not waived by the receipt of this communication by an unintended and unauthorized recipient. If you are not the intended recipient of this communication you are not authorized to use it in any manner, and must either immediately destroy it or return it to the sender. Please notify the sender immediately by telephone at (209) 223-6391 if you received this communication in error."

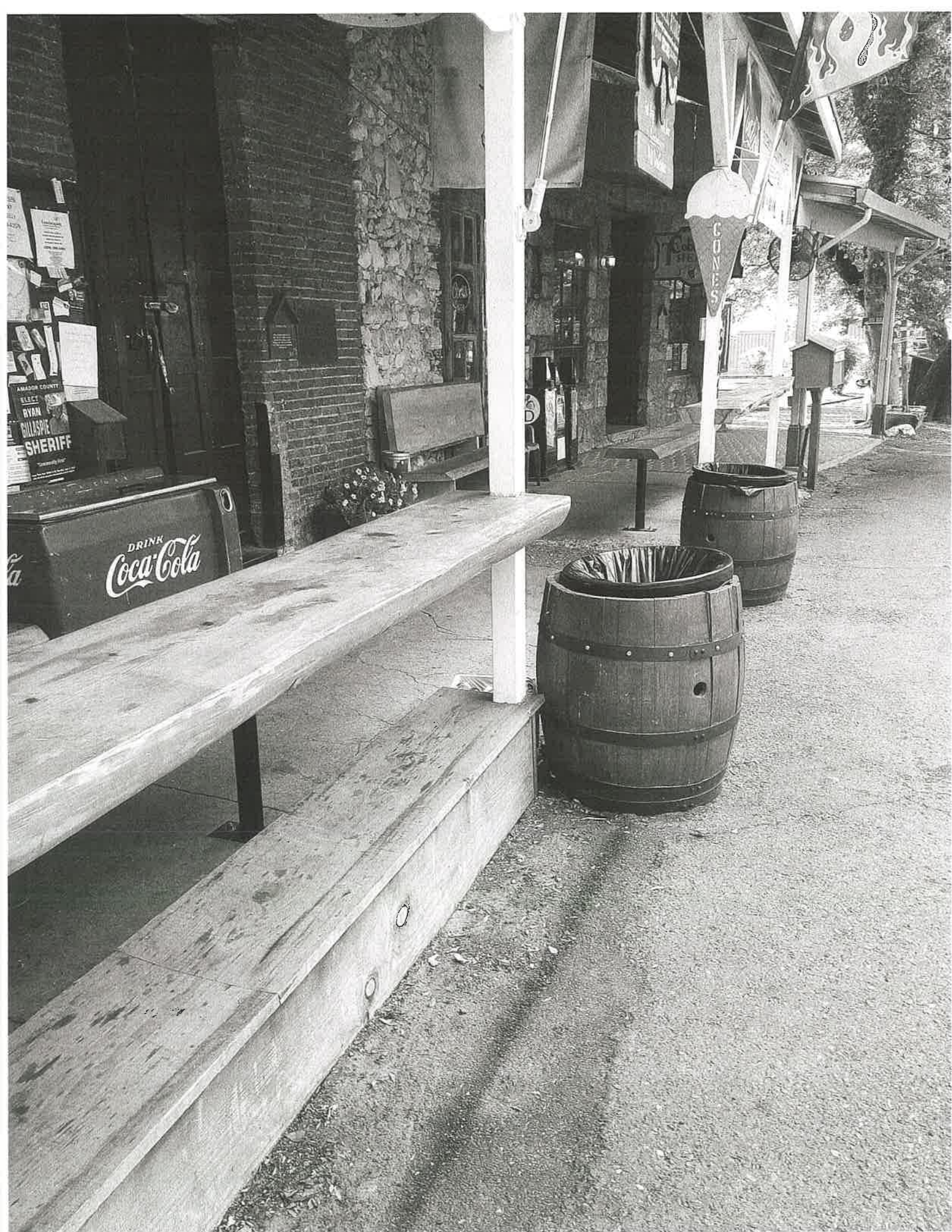
On Thu, May 26, 2022 at 4:32 PM Amador County Planning Department <planning@amadorgov.org> wrote:

Greetings,

Please see attached submittal of UP-22;3-2, to be reviewed by the Technical Advisory Committee on **Thursday, June 9, 2022 at 1:00 PM** in the Board of Supervisors Chambers in the Amador County Administration Center, located at 810 Court St., Jackson, CA 95642. The Technical Advisory Committee will review the project for environmental review and drafting of the Conditions of Approval.

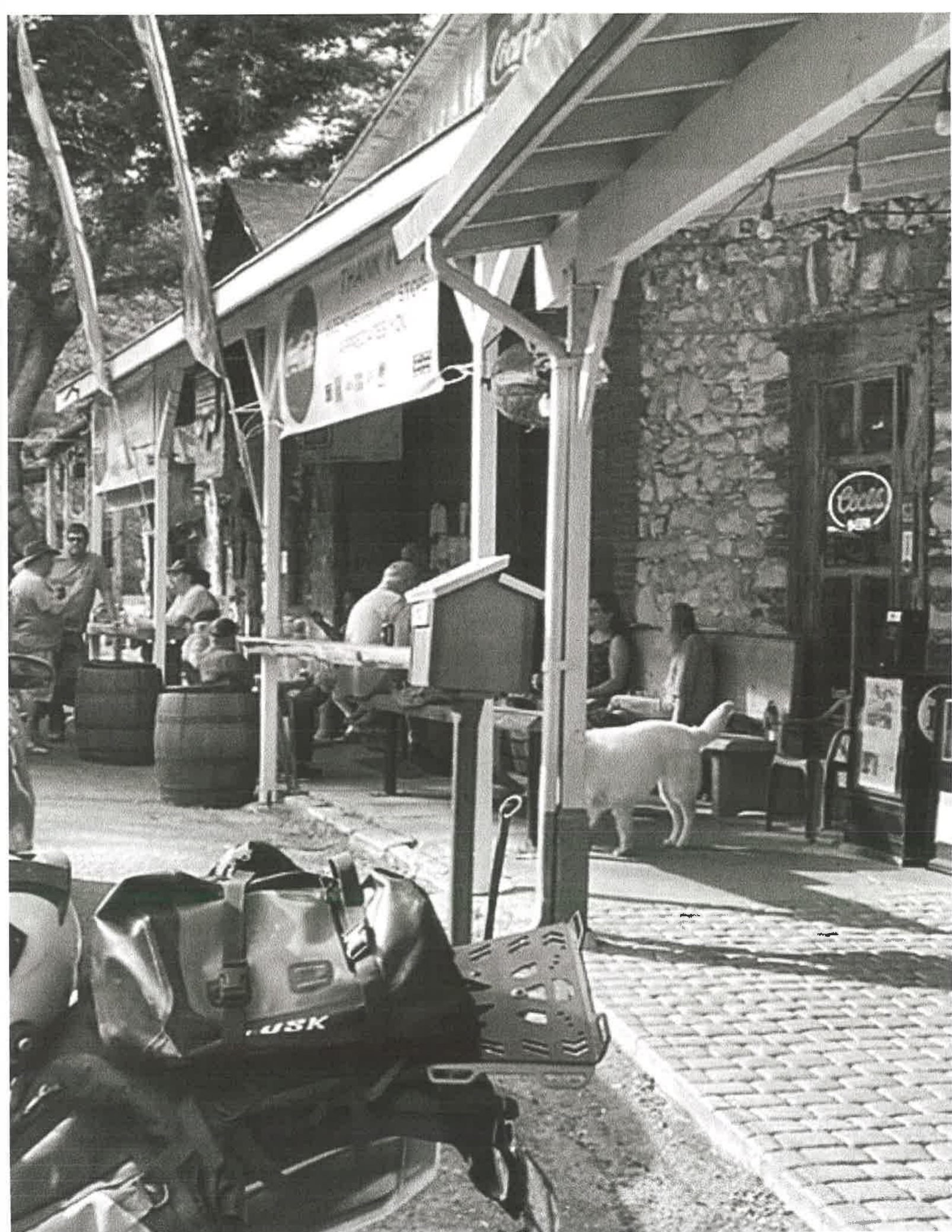
Thank you,

Amador County Planning Department  
810 Court Street  
Jackson, CA 95642  
(209) 223-6380  
planning@amadorgov.org











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**FW: Comments on Item 2-Planning Commission July 12 Agenda: Request for a Use Permit (UP-22;3-2) Sizemore Expanded Dining and Live Music**

Meg GOTTSTEIN <meg.gottstein@icloud.com>  
To: Amador County Planning Department <planning@amadorgov.org>  
Cc: rbratan@amadorgov.org

Fri, Jul 8, 2022 at 2:47 PM

I apologize for any duplication, but to ensure delivery, I am also sending from my second email account. Please confirm receipt. Thank you, Meg Gottstein

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**From:** gottstein@volcano.net <gottstein@volcano.net>  
**Sent:** Friday, July 8, 2022 2:46 PM  
**To:** 'Amador County Planning Department' <planning@amadorgov.org>  
**Cc:** 'rbratan@amadorgov.org' <rbratan@amadorgov.org>  
**Subject:** Comments on Item 2-Planning Commission July 12 Agenda: Request for a Use Permit (UP-22;3-2) Sizemore Expanded Dining and Live Music

**Please confirm receipt of this email/attachments**

Dear Planning Commission:

I am very pleased that the concerns of mine and others regarding noise from outdoor dining/live music were taken into consideration in the staff's/TAC's draft Conditions of Approval under Condition #9.

I urge you to adopt this condition, but with two clarifications to ensure no misunderstandings in its implementation. . The way the current condition is written (without referring to the specifics of Mr. Sizemore's request), *\* it could be interpreted as permitting outdoor live music lasting continuously over a 6 hour period from 1-7 pm on both weekdays and weekends.* That wasn't what Mr. Sizemore requested, and I am sure is not the intent of the staff recommendation. Therefore, I ask that the following clarifications be made to condition #9: First, to clarify that the seasonal (from April-October) live music is restricted to *weekends and holidays.* Second, to clarify that the duration of the music is limited to *a maximum of three hours to start no earlier than 1 pm and to finish no later than 7 pm.*

[\* **Sizemore letter dated April 1, 2022, bottom of page 1:** "To further add to the energy of our store, we would like to be able to provide live music occasionally on *weekends and holidays.* We envision a solo artist with a guitar, or a small local band. This entertainment would typically occur in the afternoon or early evening and last two to three hours." ]

The second issue I am commenting on was not addressed at all in the staff recommended conditions, despite written and oral comments expressing deep concerns at the June 9 TAC public hearing. That is, the lack of adequate sidewalk access with the current configuration of separate benches plus table tops with benches in front of Mr. Sizemore's store. I will not reiterate the comments about this, as they are in your packet. But the point is that when the tabletops are full (as envisioned with 5 seated, dining customers each) AND the benches across from them are also occupied—which they often are, there is no way a pedestrian (especially with special needs) can walk down that length of sidewalk. I've attached pictures taken on an afternoon with patrons sitting at the tabletops as well as on the benches across from them, and you can see the problem. I believe that the Planning Commission needs to consider this access and safety issue for pedestrians on the only sidewalk on Main street, even though the County right-of-way may not be affected. I believe that the most responsible approach (and fair to all parties) to address this very real concern would be to condition the use permit for patron dining (up to 10) on Mr. Sizemore's existing tabletops along the street side of the sidewalk with the *requirement that he remove the wooden benches across from them and keep that area free from obstruction.* This would then permit adequate and safe pedestrian passage/access to the sidewalk along the full length of Main Street.

I appreciate your consideration of these comments,

Sincerely,

Meg Schachter Gottstein

cell: (209) 304-5931; landline: (209) 296-3333

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**3 attachments**

**IMG\_5596.JPG**  
181K



**IMG\_5595.JPG**  
199K



**IMG\_5594.JPG**  
234K







Coors

THANK YOU  
COORS BEER STORE  
APPRECIATES YOU

Coors  
BEER

USK

**From:** [Bauldry, Paul@DOT](mailto:Bauldry,Paul@DOT)  
**To:** [Ruslan Bratan](mailto:Ruslan.Bratan)  
**Cc:** [Ponce, Gregoria@DOT](mailto:Ponce,Gregoria@DOT)  
**Bcc:** [Bauldry, Paul@DOT](mailto:Bauldry,Paul@DOT)  
**Subject:** AMA-26-PM, Use Permit, Sizemore  
**Date:** Monday, June 6, 2022 3:56:00 PM  
**Attachments:** [4-18-2022 AMA-26-PM 4.644 Sizemore Country Store, Use Permit.pdf](#)

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Hello Ruslan,

The California Department of Transportation (Caltrans) appreciates the opportunity to review and comment on the Sizemore Country Store Use Permit project requesting a Use Permit (UP) to allow up to two (2) tables in front of the store and five (5) tables in the rear of the store. There will be live music on weekends and holidays in a Retail Commercial and Office (C1) Zone District.

The proposed project is approximately 2.5 miles from State Route (SR) 26. The Assessor's Parcel Number (APN) is 029.043.007.

The response email dated 04/18/2022 still stands.

Caltrans has no additional comments at this time. However, Caltrans requests to be included in the review process for all future development at this location.

Thank you.

**Paul Bauldry**

Caltrans District 10  
Office of Rural Planning  
Division of Planning, Local Assistance, and Environmental  
1976 E. Dr. Martin Luther King Jr Blvd.  
Stockton CA 95205  
Telework # 209.670.9488





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## 16146 Main Street, Volcano - Request for Use Permit (UP-22;3-2)

2 messages

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**Christine Crosby** <chris.crosby@me.com>  
To: planning@amadorgov.org

Sun, Jul 10, 2022 at 8:44 PM

My family owns two properties in the town of Volcano, one of which, the Old School House on National Street, is very close to the back of this business. There are also families with young children who live within a few hundred yards of the store.

We welcome the fact that Mr. Sizemore has improved facilities in the Old Country Store and that he has provided a much-needed amenity for locals to enjoy food and entertainment. We have no objection to the addition of tables to the front or the back but we are concerned about live music unless restrictions are put in place. We do not object to live music but from our perspective the following should be taken into consideration:

Music at weekends - not every weekend, perhaps once a month or once every three weeks.

Holidays - three or four major holidays a year at most.

The volume of noise should be limited to 70 db(A) or less at the boundary of the business - so as not to disturb residents who live close by.

All music to end by a specific time - 10:00 PM at the very latest.

No music when a play is scheduled next door or at the amphitheater across the street.

No music if a wedding or other private event is scheduled to take place **in the park across the street.**

Volcano is a very small town in a beautiful setting. A great many people who live in and visit the town enjoy the fact that is quiet and peaceful, especially at weekends and holidays.

We wish Mr. Sizemore well in his business endeavors but we do not want Volcano to lose its current charm and appeal.

Chris and Paul Crosby

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**Amador County Planning Department** <planning@amadorgov.org>  
To: Christine Crosby <chris.crosby@me.com>

Mon, Jul 11, 2022 at 11:13 AM

Received, thank you.

Amador County Planning Department  
810 Court Street  
Jackson, CA 95642  
(209) 223-6380  
planning@amadorgov.org

[Quoted text hidden]



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## Use permit UP-22;3-2

2 messages

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**Gerald Schippers** <skip@volcano.net>  
To: planning@amadorgov.org

Tue, Jul 12, 2022 at 12:24 AM

Dear Planning Commission,

I am a resident of Volcano for the last 14 years. I have patronized the Country Store since Tommy Sizemore purchased the business several years ago. He has been a good influence to the community. His current plans might not be the best fit for our small community. Our total population is only 103 citizens.

Upon looking at the relevant information from the Planning Department I would like to suggest the following:

1. I support the current Restrictions.
2. Currently the store has tables and servers food and alcohol on the store front walk way. This makes for a very crowded and sometimes difficult to pass the store. The only way to pass by is to walk in the street between parked cars.
3. This store already has tables inside for food service.
4. Tables and food service in the back yard is not compatible with the neighborhood. Just on the other side of the 6 foot redwood fence is someone's private back yard. I am sure this will have a negative impact to those home owners.
5. Music and food service until 10PM weekends and holidays will have a negative impact to the neighborhood AND the entire community.

My suggestions:

1. Volcano has FOUR eating establishments. Three of these establishments serve alcoholic beverages including The Country Store.
2. If this establishment wants to continue to restrict foot traffic in front of the store maybe the roadway in front of the store should be zoned "NO PARKING". This will allow easy passage to other establishments. We have plenty of free parking.
3. NO MUSIC.
4. This establishment already has indoor and outdoor dining and alcohol service.

Gerald Schippers  
16371 Rams Horn Grade  
Volcano, CA 95689

Sent from my iPad

Sent from my iPad

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**Amador County Planning Department** <planning@amadorgov.org>  
To: Gerald Schippers <skip@volcano.net>

Tue, Jul 12, 2022 at 8:04 AM

Received, thank you.

Amador County Planning Department  
810 Court Street  
Jackson, CA 95642  
(209) 223-6380  
planning@amadorgov.org

[Quoted text hidden]



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## Sizemore Store

1 message

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**Robert Zehender** <rob@mainandconsolation.com>  
To: planning@amadorgov.org

Mon, Jul 11, 2022 at 8:20 PM

Members of the Amador County Planning Commission,

I am writing in regards to the Usage Permit for Sizemore General Store.

My wife and I own the properties that share the long Northern boundary with the Sizemore General Store. The kitchen window of the house is less than 3 feet from the fenceline that Sizemore and we share at the rear of the store, immediately adjacent to the back patio area. I have enclosed a photo showing the fenceline.

In regard to the Conditions of Approval Paragraph 9, Noise (Amplified Music) - I would like to ask that the Planning Commission adds Weekends and Holidays to the conditions of operation as stated in the Project Description and to limit sound to 70dB at the property line as currently written.

Due to the proximity of our house to his back patio, we are also concerned about nuisance smoke and fire mitigation from the commercial smoker/BBQ and we would just like to request to have it on record that Sizemore General Store adheres to safe practices regarding fire safety. We have no reason to believe that they aren't currently being followed, but in this fire climate, we all need to be especially cautious.

Thank you for your consideration in this matter,

Robert Zehender and Stephanie Cramer  
21364 Consolation St  
Volcano, CA 95689



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3634K

