

Carson Creek Research & Development Project FAQs (a.k.a. Gateway)

Q: What is currently under construction?

There are currently two buildings under construction. Permit #0361780 (Building 112) is a 69,364 square foot industrial building. Permit #0361781 (Building 113) is a 78,509 square foot industrial building.

Q: Why were Building Permits #0361780 and #0361781 approved without public notification?

The building permits were reviewed for compliance with State and Local County Zoning codes and standards. This process is ministerial, not discretionary. Ministerial review is sometimes also referred to as “by right.” The proposed buildings are allowed under the current zoning (R & D) and therefore only require a building permit. Issuance of a building permit is a ministerial action.

Q: What is ministerial development vs discretionary?

Per State CEQA Guideline 15268. Ministerial Projects

(a) Ministerial projects are exempt from the requirements of CEQA. The determination of what is “ministerial” can most appropriately be made by the particular public agency involved based upon its analysis of its implementing regulation or on a case-by-case basis.

(b) In the absence of any discretionary provision contained in the local ordinance or other law establishing the requirements for the permit, license, or other entitlement for use, the following action shall be presumed to be ministerial:

- (1) Issuance of building permits.
- (2) Issuance of business licenses.
- (3) Approval of final subdivision maps.
- (4) Approval of individual utility service connections and disconnections

Per State CEQA Guideline 15369. Ministerial

“Ministerial” describes a governmental decision involving little or no personal judgement by the public official as to the wisdom or manner of carrying out the project. The public official merely applies the law to the facts as presented but uses no special discretion or judgement in reaching a decision. A ministerial decision involves only the use of fixed standards or objective measurements, and the public official cannot use personal, subjective judgment in deciding whether or how the project should be carried out. Common examples of ministerial permits include automobile registration, dog licenses, and marriage licenses. A building permit is ministerial if the ordinance requiring the permit limits the public official to determining whether the zoning allows the structure to be built in the requested location, the structure would meet the strength requirements in the Uniform Building Code, and the applicant has paid their fee.

Per State CEQA Guidelines 15002.(i) Discretionary Action. CEQA applies in situations where a governmental agency can use its judgment in deciding whether and how to carry out or approve a project. A project subject to such judgmental controls is called a “discretionary project.”(See: Section 15357)

Q: What are the allowable uses in the R & D zone?

Section 130.23.020 of the County's Zoning Code lists uses for all Industrial/R&D zoned sites (see last page). This project is zoned R&D. The matrix notes which uses are permitted (P), not allowed (-) or require a permit such as a Conditional Use Permit (CUP). The buildings under construction at this site are designed to accommodate wholesale storage and distribution. This use is permitted per the Industrial/R&D matrix of allowed uses.

Q: What County zoning codes and regulations were used in reviewing the above building permits?

El Dorado County Zoning Ordinance 130.23. – Industrial and Research and Development Zones was referenced for allowed uses and the development standards. A spec (empty shell) building with loading docks is appropriate within the R&D zone as long as the proposed structure(s) are at least 20 feet from the front property line, 0 or 5 foot setbacks from the side property lines depending on fire and building code compliance, at least 10 feet from the rear property line, the building height does not exceed 50 feet, and the floor area ratio (FAR) does not exceed .5 or 50% of the lot. The buildings would also need to demonstrate compliance with the Research and Development Zones design standards.

El Dorado County Zoning Ordinance 130.33. – Landscaping Standards was referenced when determining compliance with the landscaping requirement. The sections also refers to the adopted Community Design Standards for Landscaping and Irrigation Standards as well as the Model Water Efficient Landscape Ordinance.

El Dorado County Zoning Ordinance 130.34. – Outdoor Lighting was referenced for allowed lighting and refers to the adopted Community Design Standards for Outdoor Lighting Standards with the purpose to minimize high intensity lighting and glare. Demonstrating compliance with this section requires a photometric plan and supplemental lighting cut sheets that shows the lighting fixtures are full cutoff and minimize light trespass and glare as well as not exceeding the lighting allowance.

El Dorado County Zoning Ordinance 130.35. – Parking and Loading was referenced as well as the adopted Community Design Standards for Parking and Loading Standards. These items are continuously reviewed as subsequent building permits are applied for to verify the parking lot is still in compliance.

El Dorado County Zoning Ordinance 130.39. – Oak Resources Conservation was referenced, and the appropriate documentation provided by the applicant's arborist was submitted.

Q: Are any other permits or projects for this site currently in process at the County?

Yes, applicant Pacific Realty Associates, LP and Morton & Pitalo, Inc. submitted P22-0009, which is a project processed by Planning. This request is for a Tentative Parcel Map to divide four parcels totaling 64.22 acres into fourteen Research and Development (R & D) parcels to be used for industrial, wholesale distribution buildings and two open space and drainage parcels ranging from 0.73 acres to 13.07 acres in size. This project has been reviewed by all applicable County Departments and Divisions as well as outside agencies. Comments, conditions, or other requirements have been incorporated into the project. Staff is in the process of finalizing staff reports and other documentation before scheduling for a public hearing. It is anticipated that the public hearing will be in April or May.

The tentative parcel map only permits the land to be subdivided. It does not affect or change the allowable uses on the property. By subdividing the property, future R & D buildings will be limited in size

compared to what could be built on the larger parcels that exist today. The current Buildings proposed do not cross property lines and must also adhere to applicable setbacks for the parcel. It is anticipated that future R & D buildings will be similar to the two currently under construction.

Grading Permit #0367354 is for export grading over four (4) parcels.

Building Permit #0368469, is for BLDG 102, which is about 4,857 sqft shell

Building Permit #0368470, is for BLDG 103, which is about 6,171 sqft shell.

Grading Permit #0369859, grading for BLDG 102, 103, and 104 (Building permit for BLDG 104 has not been submitted at this time.)

Q: Why was the Community notified about some development in this area and sometimes are not?

The ministerial process, such as building permits for structures consistent with codes and standards, do not require public notification.

Discretionary projects require public noticing, such as a conditional use permit (CUP) and parcel maps (P).

For more information about the type of permit and projects that require public noticing please reference the County Zoning Code Section 130.51.050 – Public Notice Requirements and Procedures. [Code of Ordinances | El Dorado County, CA | Municode Library](#)

Q: What's the difference between the names Carson Creek R & D and Gateway?

Both of these names have been used for different applications associated with this site. Both names generally refer to the entire site of 97.7 acres. This includes the Tractor Supply site, the two buildings under construction, two proposed buildings and the vacant land north of these.

Q: Is the Gateway project consistent with the County's traffic model?

The El Dorado County travel demand model estimates traffic trips within the County roadway network based upon approved land uses in discrete areas known as Traffic Analysis Zones (TAZs). The Gateway project falls within County TAZ #164. TAZ #164 comprises the area between Gold Foothill Parkway and Latrobe Road. As of 2018 this area was approximately 1/3 developed and had generated approximately 1/3 of the trips estimated by the travel demand model, confirming the current model's assumptions have been generally correct. The currently proposed Gateway project falls within the uses allowed within the business park and is consistent with the County's traffic modeling assumptions. Any changes to the currently approved uses in this area will be analyzed at the time such changes are proposed and any increases in trip generation need to be mitigated by the project.