

## **FINDINGS**

### **Special Use Permit Revision S97-0011-R/House of Prayer Full Gospel Church Planning Commission/February 25, 2016**

#### **1.0 CEQA FINDINGS**

- 1.1 El Dorado County has considered the previously adopted Negative Declaration together with the comments received during the public review process. The Negative Declaration reflects the independent judgment of the County, was completed in compliance with CEQA, and is adequate for this project. According to CEQA Guidelines 15162, when a negative declaration has been adopted for a project, no subsequent Negative Declaration shall be prepared for that project unless the lead agency determines that:

- a) Substantial changes are proposed in the project that will involve new significant environmental effects or substantially increase in the severity of previously identified significant effects.

Rationale: The project would allow an addition to an existing church in a residential area. The existing building comprises 5,830 square feet, including 2,767 square feet of worship area and 2,854 square feet of office area. Phase I of the proposed project would include additions to the existing building, consisting of a foyer totaling 412.5 square feet and 2,050 square feet of classrooms. Phase II, proposed for construction at a later date, comprises an expansion of the parking lot, a courtyard, and a new building to include classrooms, nursery, offices, and a kitchen/dining area. The total new floor area for both phases would be 12,062.5 square feet. Although the project revision includes changes to the site and an expansion of use, these changes would not produce any new significant effects or substantially increase the severity of any previously identified impacts. All impacts were determined to be less than significant, and the revision would not result in any impacts that would be considered significant. Standard conditions of approval and subsequent permit requirements would avoid any significant environmental effects.

- b) Substantial changes occur with respect to the circumstances under which the project is undertaken that involve new significant environmental effects or a substantial increase in the severity of previously identified significant effects.

Rationale: The existing church was approved with a special use permit, as required in the land use designation and zone in which the site is located. The same provisions are still applicable. The physical and environmental setting is not substantially different from that in which the original project was approved, and the project would not involve any new or more severe effects that were not involved in the original approval. Additional regulations have been adopted by the county with respect to some



environmental impact areas, however, these regulations would only serve to better protect the environment as they are applicable to all projects and would apply even without the identification of mitigation measures. Conditions of approval and subsequent permit requirements would avoid any significant environmental effects. The project revision includes changes to the site and an expansion of use, however the revision would not result in any impacts that would be considered significant.

c) New information of substantial importance shows:

- The project will have one or more significant effects not discussed in the previous negative declaration;
- Significant effects previously examined will be substantially more severe than shown in the previous Negative Declaration;
- Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects, but the project proponents decline to adopt them; or
- Mitigation measures or alternatives which are considerably different from those analyzed in the previous document would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt them.

Rationale: There is no substantial evidence that the project or a project mitigation measure agreed to by the project proponent, may have a significant effect on the environment. No significant impacts to the environment as a result of this project were identified in the original initial study, and therefore there are no significant impacts that would be more severe as a result of the revision. There were no mitigation measures identified in the previous document, as there were no impacts resulting from the project that needed to be mitigated. Conditions of approval and subsequent permit requirements would avoid any significant environmental effects. As such, there were no mitigation measures that were determined to be infeasible at the time, but that would be feasible today. There were no mitigation measures identified throughout the review of the revision which are considerably different from any standard conditions or project components identified in the previous document. The project revision includes changes to the site and an expansion of use, however the project would not involve any new or more severe effects that were not involved in the original approval, and the revision would not result in any impacts that would be considered significant.

- 1.2 The documents and other materials which constitute the record of proceedings upon which this decision is based are in the custody of the Development Services Division at 2850 Fairlane Court, Placerville, CA, 95667.



## **2.0 GENERAL PLAN FINDINGS**

### **2.1 The project is consistent with General Plan policy 2.2.1.2.**

The Rural Residential land use designation establishes areas for residential and agricultural development, with limited infrastructure and public services. Typical uses include single family residences, agricultural support structures, a full range of agricultural production uses, recreation, and mineral development activities. The allowable density for this designation is one dwelling unit per 10 to 160 acres. This designation is considered appropriate only in the Rural Regions.

Rationale: The El Dorado County General Plan designates the subject site Rural Residential. The site is zoned RE-10, which restricts parcel size to at least 10 acres and allowable uses to include single-family dwellings, and including other compatible uses with a special use permit. This use is consistent with the intent of the Rural Residential land use designation.

### **2.2 The project is consistent with General Plan Policy 2.2.5.21.**

General Plan Policy 2.2.5.21 requires that development projects be located and designed in a manner that avoids incompatibility with adjoining land uses.

Rationale: The site contains an existing church surrounded by rural residential development and small-scale agriculture along Highway 193. Churches are generally regarded as compatible uses in residential areas, providing gathering spaces and contributing benefits to public health, safety, and welfare. The church is existing, and the additions have been designed to visually blend with the surroundings. Conditions of approval limiting the use of the facility to church-related activities and prohibiting the conversion of the building to a school or daycare will maintain the compatibility of the use with the surroundings.

### **2.3 The project is consistent with General Plan Policy 5.1.2.1.**

General Plan Policy 5.1.2.1 requires a determination of the adequacy of the public services and utilities to be impacted by that development.

Rationale: The project was reviewed by the County Transportation Division, Garden Valley Fire Protection District, Georgetown Divide Public Utility District, and Black Oak Mine School District for adequate public services capacity. The new construction will utilize existing electrical facilities and public services. The expansion of the church facilities may necessitate additional septic system capacity. Environmental management may require expanded wastewater treatment facilities, which would be determined at the time of building permit. The project would not generate a substantial increase in



solid waste, however, the project would be required to comply with construction and demolition debris recycling standards during the construction phase and follow CalGreen requirements during operation.

**2.4 The project is consistent with General Plan Policy 5.2.1.2.**

General Plan Policy 5.2.1.2 requires that adequate quantity and quality of water for all uses, including fire protection, be provided with proposed development.

Rationale: The proposed project is within a high fire hazard area. Standards for construction and vegetation maintenance will apply during the construction and operation phases of the project.

**2.5 The project is consistent with General Plan Policy 6.2.3.2.**

Policy 6.2.3.2, Adequate Access for Emergencies, requires that the applicant demonstrate that adequate access exists, or can be provided to ensure that emergency vehicles can access the site and private vehicles can evacuate the area.

Rationale: The original Special Use permit included review of the site plan for adequate access for emergencies. The Transportation Division and Georgetown Fire Protection District reviewed the application materials and do not require additional site access or improvement to the existing roads. Building plans for emergency ingress and egress capabilities will be reviewed by the Georgetown Fire Protection District for compliance with county and fire codes. Therefore, the project is in compliance with the General Plan Policy.

**2.6 The project is consistent with General Plan Policy 6.5.1.7.**

Policy 6.5.1.7, Noise Standards, require that noise created by new proposed non-transportation noise sources shall be mitigated so as not to exceed the noise level standards of Table 6-2 for noise-sensitive uses.

Rationale: Noise levels are not expected to increase as a result of the project, as the use of the site is not changing. Noise generated during construction and operation will be required to comply with the noise standards established in the General Plan.



**2.7 The project is consistent with General Plan Policy 7.1.2.1.**

General Plan Policy 7.1.2.1 directs that development or disturbance shall be prohibited on slopes exceeding 30 percent unless necessary for access.

Rationale: The existing structures are built on areas of the property that avoid any slopes exceeding 30 percent. The area proposed for new construction avoids slopes of 30 percent or more. The project is in compliance with the policy related to steep slopes.

**2.8 The project is consistent with General Plan Policy 7.4.4.4.**

According to policy 7.4.4.4 of the general plan, all new development projects that would result in soil disturbance on parcels that are over an acre and have at least 1 percent total canopy cover shall adhere to the tree canopy retention and replacement standards.

Rationale: The site contains some trees, but no trees are within the proposed area of construction. No oaks or other trees are proposed for removal. With the implementation of the conditions of approval, the project is consistent with policy 7.4.4.4 of the General Plan.

**3.0 ZONING FINDINGS**

**3.1 The project is consistent with Title 130.**

The project has been analyzed in accordance with Zoning Ordinance Section 130.70.110 (Development Standards) for minimum lot size, dimensions, buffers, and building setbacks. The project, as proposed, is consistent with the Zoning Ordinance because the project will comply with building setbacks and other applicable design standards.

Rationale: The parcel is zoned Estate Residential Ten-Acre (RE-10). The minimum lot size required is 10 acres. The subject parcel is 10.0 acres in size. No maximum building coverage is specified for the RE-10 zone. The maximum building height is 45 feet for this zone. The proposed new building is two stories tall and approximately 30 feet in height. The minimum property line setback is 30 feet on all sides. The proposed additions to the church building and the new construction will be located at least 30 feet from the edge of the unnamed 50-foot-wide non-exclusive easement located along the southern property line of the subject parcel, and will exceed the setback requirement on all other sides.



**3.2 The project is consistent with Chapter 130.18: Off-Street Parking and Loading.**

Section 130.18.060 of the Zoning Ordinance establishes off-street parking requirements by use. Churches and other places of public assembly are required to have 1 parking space per 4 seats or 1 space per 300 square feet of gross floor area, whichever provides the higher amount of parking. Offices require 1 space per every 250 square feet, and schools require 1.5 spaces per classroom. The number of handicapped parking spaces is calculated based on the total number of spaces, with 76 to 100 spaces requiring 4 handicapped spaces, per the California Building Code.

Rationale: The existing building is 4,709 square feet in size and seats a total of 239 people requiring a total of 60 parking spaces ( $239 \text{ seats} / 4 = 60$ ). There are currently 70 parking spaces with two of the spaces designated as handicapped parking spaces. Although the assembly area is not proposed to be expanded, the proposed project has additional office area totaling approximately 1400 square feet and eight classrooms. Approximately 78 spaces will be needed to accommodate the additional office and classroom areas, with 4 of these spaces designated as handicapped spaces. An additional 8 spaces will be needed beyond the existing parking capacity. The current site plan has included additional parking areas to accommodate the multiple phases of the project. A condition of approval will require the submittal of a parking plan in conformance with parking standards prior to issuance of a building permit.

**3.3 The project is consistent with Title 130.18.090.**

Section 130.18.090 requires that at the time of development of any off-street parking that landscaping and buffering be provided in accordance with an approved Landscape Plan.

Rationale: A landscape plan was submitted and approved as part of the development of the site. With the additional parking areas, landscaping and buffering is needed along the southern side of the church building to comply with 130.18.090. The condition of approval requiring the submittal of a landscape plan in conformance with Section 130.18.090 has been updated to require an updated Landscape plan prior to issuance of a building permit.

**3.4 The project is consistent with Title 130.16.**

Section 130.16.030 specifies that conforming signs that change messages, but do not alter the size, location, or illumination are exempt from sign permit requirements.

Rationale: The original special use permit authorized one 4 foot by 5 foot, unlighted sign on 4 inch by 4 inch posts with the top of the sign approximately 6 feet above grade. A condition was also included to specify lighting for the sign were proposed, it must be designed so as to not allow any glare or light



escape off-site, and that lighting may be approved by the Planning Director as a minor expansion as long as the lighting complies with the above requirement. There are no changes to the sign proposed, and the existing sign is allowed by Section 130.16.

#### **4.0 SPECIAL USE PERMIT FINDINGS**

##### **4.1 The issuance of the permit is consistent with the General Plan.**

Rationale: As discussed above in Section 2.0 General Plan Findings, the special use permit is consistent with the applicable policies and requirements in the El Dorado County General Plan.

##### **4.2 The proposed use would not be detrimental to the public health, safety and welfare, or injurious to the neighborhood.**

Rationale: The use will not significantly conflict with surrounding uses. The proposed church expansion will comply with the Development Standards of the RE-10 zone district. The proposed use is consistent with the surrounding neighborhood which includes agriculture and large-lot single-family residences. The project is not expected to result in any changes to the current use or condition of the site. As conditioned, the project is not anticipated to result in significant environmental, visual, or noise impacts to the surrounding residents.

##### **4.3 The proposed use is specifically permitted by Special Use Permit.**

Rationale: The church is specifically permitted by Special Use Permit pursuant to Section 130.70.100. The subject property is located in the RE-10 zone (Estate Residential 10 acre minimum). Section 130.70.100 of the Zoning Ordinance establishes the uses requiring approval by a Special Use Permit in the RE-10 zone which includes "the construction of schools, churches, cemeteries, parks, golf courses, and public utility structures."