

FINDINGS

Conditional Use Permit S16-0009/Planned Development Revision PD06-0016-R/JS West Propane Planning Commission/September 14, 2017

1.0 CEQA FINDINGS

- 1.1 El Dorado County has considered the Addendum to the previously adopted Negative Declaration together with the comments received during the public review process. The Addendum reflects the independent judgment of the County and has been completed in compliance with CEQA and is adequate for this project.
- 1.2 Public Resources Code Section 21081.6 requires the County to adopt a reporting or monitoring program for the changes to the project which it has adopted or made a condition of approval in order to mitigate or avoid significant effects on the environment. The approved project description and conditions of approval, with their corresponding permit monitoring requirements, are hereby adopted as the monitoring program for this project. The monitoring program is designed to ensure compliance during project implementation.
- 1.3 The documents and other materials which constitute the record of proceedings upon which this decision is based are in the custody of the Planning and Building Department 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 Industrial (I) land use designation establishes areas for a full range of light and heavy industrial uses. Types of uses that would be permitted include manufacturing, processing, distribution, and storage. Incompatible, non-industrial uses, excluding support services, shall be discouraged. This designation is considered appropriate within Community Regions, Rural Centers and Rural Regions.

Rationale: The El Dorado County General Plan designates the subject site as Industrial. The site is within the Barnett Business Park of the Shingle Springs Community Region. As such, the proposed uses including office/warehouse and storage of hazardous materials are consistent with the intent of the Industrial 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 is currently vacant and surrounded on all sides by industrial lands, within an approved general commercial and industrial zoned business park. The site plan shows the proposed building complying with the applicable setbacks and design standards. As conditioned, the project would be compatible with the adjoining land uses.

2.3 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 project would connect to an existing EID public water system. A Facilities Improvement Letter (FIL) dated December 19, 2013, identified an eight-inch EID water line along Business Drive and Commodity Way. A letter dated January 24, 2017 from EID (Exhibit I), identified that the previous FIL from 2013 was still valid and may be used for the purposes of verifying the available fire flow. A connection would need to be constructed to these water facilities.

2.4 The project is consistent with General Plan Policy 5.2.1.1.

General Plan Policy 5.2.1.1 requires that industrial projects may be required to connect to public wastewater collection facilities if reasonably available as a condition of approval.

Rationale: The project would connect to an existing EID public wastewater system. A Facilities Improvement Letter (FIL) dated December 19, 2013, identified a six-inch EID sewage line abutting the western property line and an eight-inch sewage line along Business Drive. A connection would need to be constructed to these water facilities.

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 El Dorado Fire Protection District (EDFPD) and the Transportation Department reviewed the application materials and site plan for adequate access for emergencies. It was determined that a traffic study was not required, since the proposed use would generate minimal trips. Also, the roads serving the development have sufficient capacity to accommodate any added traffic without resulting in unacceptable levels of service. On-site circulation was approved through review of the site plan, which allows for sufficient access, parking, and maneuvering space. An encroachment

permit is required for access to Commodity Way. The EDFPD determined that gate placement and access would need to comply with the standards and specifications of the EDFPD. Additionally a Fuel Hazard Reduction Zone, in accordance with the Wild Fire Safe Plan, which was conditioned as part of the original Planned Development, would need to be established along access roads and paths. The project is in compliance with the General Plan Policy.

3.0 ZONING FINDINGS

3.1 The project is consistent with Title 130.

The Light Industrial zone is applied to lands for manufacturing and associated retail or service activities, wholesaling, and other industrial uses, where the primary activity is conducted within a building or buildings, or in outdoor storage or activity areas. Conditional Use Permits shall be required for those uses which, by their nature, have the potential to produce or emit noise, odor, fumes, dust, smoke, vibrations, glare, heat, electrical interference or waste material beyond the confines of the property boundaries.

Rationale: The parcel is zoned Light Industrial-Planned Development (IL-PD). Under the Industrial and Research and Development District Zone Matrix (130.23.020) of allowed uses and permit requirements, industrial uses, such as the handling and storage of hazardous materials are specifically permitted by Conditional Use Permit.

The project has been analyzed in accordance with Zoning Ordinance Section 130.23.030 (Development Standards) for minimum lot size, dimensions, height and building setbacks. Setbacks for structures must be a minimum of ten feet for the front, five feet for the side, and ten feet for the rear, with a maximum height of 50 feet. The project is not adjacent to any residentially zoned lands. According to the proposed site plan, all proposed and existing structures meet these requirements. The project, as proposed, is consistent with the Zoning Ordinance because the project will comply with building setbacks and other applicable design standards. Parking and loading were analyzed according to the use type, and the proposed parking would be sufficient for the proposed uses (see Finding 3.2).

3.2 The project is consistent with Chapter 130.35 - Off-Street Parking and Loading.

Chapter 130.35 of the Zoning Ordinance establishes off-street parking requirements for businesses.

Rationale: General industrial uses are required to have at least one parking space for every 500 square feet of indoor active use area, 1,000 square feet of indoor

storage area, 2,000 square feet of outdoor use area, and 5,000 square feet of outdoor storage. The original planned development proposed a total of 54 parking spaces for the entire development. The planned development revision would remove 5,478.5 square feet of indoor active use area, which would reduce the amount of parking required for the original planned development by 11 parking spaces. The project requires 28 parking spaces and proposes 49 parking spaces, of which five will be accessible in accordance with the Americans with Disabilities Act (ADA). Of the 49 parking spaces within the Planned Development, 17 would occur on the parcel site, with two of the on-site parking spots being ADA accessible.

4.0 CONDITIONAL 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 Conditional 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 use will comply with the Development Standards of the IL zone district. The proposed use is consistent with the surrounding land uses which include other industrial and office uses. As conditioned, the project is not anticipated to result in significant environmental, visual, or noise impacts to the surrounding uses.

4.3 The proposed use is specifically permitted by Conditional Use Permit.

Rationale: Hazardous Storage Handling and Storage is specifically permitted in the Light Industrial-Planned Development (IL-PD) Zone with the approval of a Conditional Use Permit in compliance with Section 130.21.020. The subject property is located in the IL-PD zone district. The Industrial and Research and Development Zone Districts matrix of allowed uses and permit requirements establishes those uses that are permitted and those that require approval by a Conditional Use Permit in the IL-PD zone districts. The matrix includes commercial and industrial uses, specifically Hazardous Materials Handling and Storage, which are allowed with a Conditional Use Permit in the IL-PD zones.

5.0 PLANNED DEVELOPMENT FINDINGS

5.1 The issuance of the permit is consistent with the General Plan.

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

5.2 The site is adequate in shape and size to accommodate the proposed use and other required features.

Rationale: The Planned Development Revision proposes the construction of two 30,000 gallon propane tanks and a new 6,221.5 square foot office/warehouse building. This revision would reduce the gross building square footage from the original approved planned development. Each propane tank would be 627 square feet and will be supported by two stemwall footings. There is adequate parcel shape and size to accommodate the proposed use.

5.3 Any exceptions to the development standards of the zone are justified by the design or existing topography.

Rationale: As discussed in Section 3.1 and 3.2 above, the project has been designed in accordance with Zoning Ordinance and no exceptions to the standard requirements have been requested.

5.4 Adequate public services and facilities exist or will be provided to serve the proposed development.

Rationale: The project was reviewed by the Transportation Department, Environmental Management Department, El Dorado Irrigation District (EID), and the El Dorado County Fire Protection District for adequate public services capacity and access, including two public water line connections, one sewage connection, emergency water supply and access. Applicable conditions of approval have been incorporated into the project staff report.