

**COUNTY OF EL DORADO DEVELOPMENT SERVICES
PLANNING COMMISSION
STAFF REPORT**



Agenda of: October 9, 2014
Staff: Mel Pabalinas

SPECIAL USE PERMIT REVISION

FILE NUMBERS: S85-0046-R-2/Castle Meats

APPLICANT: Russ Brett

PROPERTY OWNER: Kevin Castle

REQUEST: Revision to the approved Special Use Permit to allow continued operation of a meat cutting and processing facility under Section 17.70.100.A of the Zoning Ordinance (Packing and Processing of Agricultural Products).

LOCATION: The facility is located along French Creek Road, approximately one mile southwest of the intersection with French Creek Road and Old French Town Road, in the Shingle Springs area, Supervisorial District 2. (Exhibit A)

APN: 091-070-52 (Exhibit B)

ACREAGE: 5 acres

GENERAL PLAN: Rural Residential (Rural Residential) (Exhibit C)

ZONING: Estate Residential District (RE-10)
(Exhibit D)

ENVIRONMENTAL DOCUMENT: Categorically Exempt under Section 15301 (Existing Facilities) of the CEQA Guidelines

RECOMMENDATION: Staff recommends the Planning Commission take the following actions:

1. Certify the project to be Categorically Exempt under Section 15301 (Existing Facilities) of the CEQA Guidelines; and

2. Approve Special Use Permit S85-0046-R-3 based on the Findings and subject to the revised Conditions of Approval as presented.

BACKGROUND

Castle Meats, a meat cutting and processing facility, began operation 29 years ago upon approval of the special use permit in August 1985 (Exhibit E). The facility was approved as an expanded home occupation use under Section 17.70.100.G of the Zoning Ordinance as it was subordinate to the primary residential use of the property and the property owner operated the facility and resided on the property.

In March 1995, a revision to the special use permit was approved allowing an increase of on-site employees to a maximum of four.

Staff visited the facility on August 12, 2014 and verified conformance of the operation of the facility with the approved conditions (Exhibit H).

ANALYSIS

The applicant is selling his property and has received interest from a potential buyer who would continue to operate the facility but reside at a different location, which would be conflict with the special use permit as an expanded home occupation (Exhibit F).

The applicant is proposing to revise the use permit to allow continued operation of the facility by a non-resident. The revision would amend the basis of the current permit approval from an expanded home occupation to "...packing and processing of agricultural or wood products and the necessary buildings and structures required therefore where the nature of the product is changed" in accordance with the RE-10 zoning regulations under Section 17.70.100.A. This would allow the property owner to live off-site as the use would not need to be subordinate to the residential use (see Exhibits G). The meat cutting and packing facility would continue to operate as an agricultural support service consistent with the provision of the ordinance and intent of the General Plan.

The original conditions of approval shall remain applicable for this permit revision with minor edits shown in strikeouts and underlines. Condition No.9, which involves the increase of on-site employees, was approved with the first permit revision but was inadvertently not applied as a condition; therefore, this condition is being reapplied for this revision.

ENVIRONMENTAL REVIEW

The revised special use permit is determined to be Categorical Exempt under CEQA Section 15301 (Class 1-Existing Facilities). The revision involves changing the basis on which the existing operation would continue to operate under the RE-10 zoning regulations. There will be no change to the actual operation of the existing facility.

A \$50.00 administration fee is required by the County Recorder to file the Notice of Exemption (NOE). In accordance with Section 15062 of CEQA, filing of the NOE starts a 35-day limitation on

challenges to the approval under CEQA. Not filing the NOE would extend the period to challenge the CEQA determination to 180 days.

SUPPORT INFORMATION

Conditions of Approval
Findings

Exhibit A.....	Location Map
Exhibit B.....	Assessor's Parcel Map
Exhibit C.....	General Plan Land Use Map
Exhibit D.....	Zone Map
Exhibit E.....	Original Special Use Permit (containing Site Plan)
Exhibit F.....	Applicant Letter; July 13, 2014
Exhibit G.....	Estate Residential (RE-10) Districts Zoning Regulations
Exhibit H.....	Site Photos

CONDITIONS OF APPROVAL

Special Use Permit Revision S86-0046R-2/Castle Meats Planning Commission/October 9, 2014

1. This revision to the Special Use Permit is based upon and limited to compliance with the project description, the hearing exhibits marked E, F and H and conditions of approval set forth below. Any deviations from the project description, exhibits or conditions must be reviewed and approved by the County for conformity with this approval. Deviations may require approved changes to the permit and/or further environmental review. Deviations without the above described approval will constitute a violation of permit approval.

These conditions supersede all previous conditions of approval.

2. Meat cutting and packaging shall be performed only inside the approved structure shown on the site plan.
3. The existing approved structure shall not be expanded in relation to this operation.
4. The hours of operation shall be limited to 8:00 A.M. to 6:00 P.M., Monday through Friday, and 8:00 A.M. to 12:00 P.M. on Saturday.
- ~~5. The El Dorado County Fire Protection District requirements shall be met and a letter of compliance shall be submitted to the Planning Department. (Previously Complied)~~
65. The meat cutting and processing operation shall only be considered a service and shall not involve retail sales of products produced through this operation (except as defined by Environmental Health to allow the intent of this service).
76. One permitted on-site sign shall be allowed which advertises uses authorized by the permit and as permitted by the RE-10 Zoning Ordinance.
7. The meat cutting and packaging facility is authorized by Section 17.70.100.A (Packing and Processing of Agricultural Products). The property owner is not required to live on-site.
8. The facility shall maintain a maximum of four on-site employees under Special Use Permit S85-0046-R approved in March 15, 1995 by the Planning Commission.

FINDINGS

Special Use Permit Revision S86-0046R-2/Castle Meats Planning Commission/October 9, 2014

Based on the review and analysis of this project by staff and affected agencies, and supported by discussion in the staff report and evidence in the record, the following findings can be made pursuant to *Section 66472.1* of the *California Government Code*:

FINDINGS FOR APPROVAL

1.0 CEQA FINDINGS

- 1.1 The revised special use permit is determined to be Categorical Exempt under CEQA Section 15301 (Class 1-Existing Facilities). The revision involves changing the basis on which the existing operation would continue to operate under the RE-10 zoning regulations. There will be no change to the actual operation of the existing facility.
- 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 Department- Planning Services 2850 Fairlane Court Placerville, CA 95667.

2.0 SEPCIAL USE PERMIT FINDINGS

2.1 The issuance of the permit is consistent with the general plan;

The issuance of the revised use permit for the continued operation of this meat cutting and packing facility, which is an agricultural support service, is consistent with the applicable policies of the General Plan.

2.2 The proposed use would not be detrimental to the public health, safety and welfare, or injurious to the neighborhood; and

The existing facility has been and will continue to operate within the confines of permit and applicable provisions of the Zoning Ordinance, and would not be a detriment to public health, safety and welfare.

2.3 The proposed use is specifically permitted by special use permit pursuant to this Title.

The meat cutting and processing facility is an agricultural support service, which is a use that requires a special use permit under Section 17.70.100.A (Packing and Processing of Agricultural Products). This application is a revision to the special use permit that has been issued for this facility.