

FINDINGS

Conditional Use Permit CUP18-0006/Wetsel-Oviatt Temporary Site Planning Commission/November 8, 2018

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:

1.0 CEQA FINDINGS

- 1.1 El Dorado County has considered the Mitigated Negative Declaration together with the comments received and considered during the public review process. The Mitigated Negative Declaration reflects the independent judgment of the County and has been completed in compliance with CEQA and is adequate for this proposal. The temporary project would impact Noise.
- 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.

General Plan Policy 2.2.1.2 establishes an appropriate range of land use types and densities within the County. The Industrial (I) land use designation establishes areas suitable for a range of light and heavy industrial uses.

Rationale: The project has an I (Exhibit C) General Plan Land Use Designation. The project is directly adjacent to Industrial land use designations to the north, south, east and west. The Carson Creek Specific Plan is located to the northwest of the project site. The site is within the El Dorado Hills Community Region. A residential subdivision applicant has recently been submitted and is currently processing for an area to the northwest of the subject parcel. The proposed project is compatible with the land use designation and would be temporary.

2.2 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 utility to be impacted by that development.

Rationale: The project was reviewed by the El Dorado County Department of Transportation for adequate public services capacity. The project site currently contains other uses and is connected to existing electrical facilities currently within the parcel. The temporary project site proposes portable toilets and trucked in water to serve employees and is not expected to result in increased needs for public services.

2.3 The project is consistent with General Plan Policy 5.1.2.2.

General Plan Policy 5.1.2.2 requires that adequate quantity and quality of water for all uses, including fire protection, be provided with proposed development.

Rationale: The proposed temporary project is located within a moderate fire hazard area. The El Dorado Hills Fire Department was given the opportunity to comment and applied additional conditions of approval to the project (Exhibit G).

2.4 The project is consistent with General Plan Policy 6.2.3.2.

General Plan 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: In compliance with Policy 6.2.3.2, the project will utilize existing gravel driveways and roads accessed off Wetsel-Oviatt Road via Latrobe Road. The El Dorado County Transportation Department and the El Dorado Hills Fire Department reviewed the application materials and do not require additional site access or improvement to the existing roads. The site plans were reviewed for emergency ingress and egress capabilities and building plans will be additionally reviewed by El Dorado County and the El Dorado Hills Fire Department for compliance with County and fire codes during the plan check process.

2.5 The project is consistent with General Plan Policy 7.4.4.4.

General Plan Policy 7.4.4.4 requires all new non-exempt development projects that would result in impacts to oak resources must adhere to the standards of the Oak Resources Management Plan (ORMP).

Rationale: No oak trees are proposed to be removed as part of the proposed project. If oak trees were to be removed an oak resource technical report and applicable oak mitigation in-lieu fees would be required.

3.0 ZONING FINDINGS

3.1 The project is consistent with Title 130.

The parcel is zoned Light Industrial (IL). The project has been analyzed in accordance with Zoning Ordinance Section 130.23.020 (Industrial/R&D Zones Use Matrix) for allowable uses and 130.23.030 (Development Standards) for minimum lot size, widths and building setbacks.

Rationale: The proposed project is consistent with the Light Industrial (IL) (Exhibit D) zoning designation as Intensive Public Utility Service Facilities are allowed within the IL zone with the approval of a conditional use permit. The project has been analyzed in accordance with Zoning Ordinance Section 130.23.030 (Development Standards) for height and building setbacks. Setbacks within the IL zoning designation are ten feet for the front setback, five feet for the sides and ten feet of the rear.

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 and loading requirements for developments with additional standards found in the Community Design Standards.

Rationale: The temporary use of processing and sorting C&D and green/wood waste is not a use specifically listed within the off-street parking and loading requirements. The closest use listed is Industrial, general and specialized, as part of a discretionary permit the parking spaces required may be decreased for industrial uses where the intent of the parking ordinance is preserved. The parking proposed is sufficient to serve the use intended and the modification will not be detrimental to the public health, safety, or welfare. Due to the nature of the proposed temporary use the proposed eight parking spaces are found to be adequate.

3.3 The project is consistent with Section 130.40.250.D.

Section 130.40.250.D.1 requires that Public Utility Infrastructure shall be subject to Planning Commission approval of a Conditional Use Permit where the construction of the public utility infrastructure creates a potential safety or health hazard to adjacent property owners, present or future, as determined by the Director.

Rationale: This project is a conditional use permit to allow for the temporary use of a C&D sorting line and green/wood waste processing facility. There is the potential for safety and health hazards to adjacent property owners,, therefore the project is subject to review by the Planning Commission, the decision making body.

4.0 CONDITIONAL USE PERMIT FINDINGS

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

The proposed temporary use is consistent with the policies and requirements in the General Plan as discussed in the General Plan section of the Staff Report. The proposed use is consistent with all applicable policies as set forth in Finding 2.0 above.

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

The proposed temporary use will not significantly conflict with the adjacent uses and the project site has supported similar uses in the past. The proposed temporary use is anticipated to result in insignificant environmental impacts to neighboring parcels. While the temporary facility will sort and process C&D and green/wood waste the proposed use is not anticipated to create hazards that would be considered detrimental to the public health, safety, and welfare, or injurious to the neighborhood based on the data and conclusions contained in the staff report.

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

As discussed in Section 3.1 above, the proposed temporary use is specifically permitted in accordance with Zoning Ordinance Table 130.23.020 subject to approval of a conditional use permit.

5.0 DESIGN REVIEW PERMIT FINDINGS

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

As discussed above in Section 2.0, General Plan Findings, the Design Review Revision is consistent with the applicable policies and requirements in the El Dorado County General Plan.

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

The use is consistent with the General Plan and will comply with the Development Standards of the IL-DC zone. The proposed use is consistent with the surrounding land uses, which include Light Industrial land uses. As conditioned, the project is not

anticipated to result in significant environmental, visual, or noise impacts to the surrounding properties.

5.3 The proposed use is specifically permitted by Design Review.

The design review process is applied to industrial sites in area where the Design Review-Community (-DC) overlay exists. The design review process shall be limited to consideration of compliance with established standards, provided that the use proposed for the project site is an allowed use within the zone. The proposed use is allowed through the approval of a conditional use permit within the IL zoning designation. As discussed in finding 2.1, the design review is consistent with the applicable policies and requirements in El Dorado County General Plan.