

**COUNTY OF EL DORADO
PLANNING AND BUILDING DEPARTMENT
DIRECTOR
STAFF REPORT**



Date: October 16, 2023

Staff: Anna Leanza

STAFF LEVEL DESIGN REVIEW PERMIT REVISION

FILE NUMBER: DR-R23-0002/Food Bank of El Dorado County Expansion

APPLICANT/OWNER: Food Bank of El Dorado County/Mike Sproull

ENGINEER: John Krisedja

REQUEST: Design Review Permit Revision to include the construction of a second warehouse building (14,300 square feet in size) adjacent to the existing Food Bank of El Dorado County building on the project site.

LOCATION: On the southeast corner of the intersection of Dividend Drive and Business Drive, within the Barnett Business Park, in the Shingle Springs Community Region, Supervisorial District 4 (Exhibit A).

APN: 109-480-019

ACREAGE: 3.44 acres

GENERAL PLAN: Industrial (I) (Exhibit B)

ZONING: Industrial Light within Design Review Community Combining Zone (IL-DC) (Exhibit C)

ENVIRONMENTAL DOCUMENT: This project qualifies for an exemption under Section 15183 Projects Consistent with a Community Plan or Zoning of the California Environmental Quality Act (CEQA) Guidelines.

RECOMMENDATION: Staff recommends the Planning and Building Department Director take the following actions:

1. Find Design Review Permit Revision, DR-R23-0002, exempt from CEQA review under Section 15183 Projects Consistent with a Community Plan or Zoning; and

2. Approve Design Review Permit Revision, DR-R23-0002, allowing the revision of the originally entitled Design Review Permit to include a second, 14,300-square-foot warehouse building on the site, based on the Findings and subject to the Conditions of Approval as presented.

EXECUTIVE SUMMARY

The project applicant, Food Bank of El Dorado County, is proposing to construct a second warehouse building on the currently developed 3.44-acre parcel within the Barnett Business Park (Exhibit D). The 14,300-square-foot building will include space for storage of emergency food supplies, offices and classrooms, and a serving kitchen. The proposed use is allowed by right in the IL zone, and the building and site designs are consistent with the development standards for the IL zone. The applicant is requesting a revision to the existing Design Review Permit to include the proposed building and site improvements.

BACKGROUND/HISTORY/EXISTING CONDITIONS/SITE CHARACTERISTICS

The Board of Supervisors (Board) adopted the Barnett Ranch Area Plan and zoning on March 25, 1980, under Resolution No. 117-80, which included 190 acres zoned Industrial and 88 acres zoned Commercial, Professional Office (CPO). The CPO zoned land was intended to buffer the existing residential uses east of the Barnett Ranch Area Plan boundary from the industrial uses to its west. As part of the adopted development policies, the CPO zoned land could be rezoned to another commercial zone providing the Design Community (-DC) combining zone was added at the same time.

On August 3, 1982, under Ordinance No. 3287, the Board approved the Master Plan for the Barnett Business Park to be created out of 247.5 acres in the Barnett Ranch Area Plan that comprised the Industrial and CPO zoned land. The -DC combining zone was added to both zones at that time.

On June 21, 2011, the Board adopted Resolution No. 090-2011 authorizing staff to proceed with a zone amendment to change the existing zone of the project parcels from CPO-DC to CG-DC in order “to facilitate economic development in the county and to create zoning that is consistent with the land uses currently on the property.” The rezone was analyzed under application Z11-0006 and was heard by the Planning Commission on September 8, 2011, with a recommendation for approval to the Board. On October 18, 2011, the Board adopted the zone amendment to be effective 30 days thereafter.

The existing 20,125-square-foot commercial structure was approved in June 2013 by a Staff Level Design Review Permit, DR13-0003S. The building, including 3,250 square feet of office space and 16,875 square feet of warehouse space, has been utilized as a food storage warehouse since the construction of the building.

The project site is characterized as undeveloped ruderal/disturbed grassland. A channelized drainage exists along the westerly edge of the site, adjacent to Dividend Drive. The site includes existing water, sewer, storm drain, natural gas, and electric utility.

PROJECT DESCRIPTION

The applicant is requesting approval of a Design Review Permit Revision to add a second warehouse building to the site.

The proposed project includes the construction of a second warehouse building and associated site improvements. The proposed building will total 14,300 square feet with a total height of 28.5 feet (Exhibit E). Additional associated site improvements include:

- 19 additional parking spaces
- Stormwater detention basins and required landscaping (Exhibit F)
- Internal drive aisles
- One (1) additional driveway from Dividend Drive

ANALYSIS

General Plan Consistency: The General Plan designates the site as Industrial, which permits the proposed use. The Planning and Building Department, Planning Division, has analyzed General Plan policies applicable to this project and found the project to be consistent with the General Plan.

Zoning Ordinance Consistency: Staff has determined that the proposed project, as conditioned, is consistent with all applicable standards and requirements of Title 130 of the County Ordinance Code (Zoning Ordinance), Chapter 130.23 *Industrial and Research and Development Zones*.

AGENCY COMMENTS:

The project was distributed to all applicable local, County, and State agencies for review and comment. Comments were received from the County Surveyor's office, the County Department of Transportation, the County Environmental Management Division, the County's Air Quality Management District, and El Dorado Irrigation District (EID). Agency comments, as well as standard Conditions of Approval, are provided.

ENVIRONMENTAL REVIEW:

The proposed addition is allowed with the revision to the previously approved Design Review Permit. The lead agency (El Dorado County) is required to review the project to determine if there is the potential for substantial environmental impacts as a result of the proposed development. Staff has reviewed the project, as well as CEQA requirements, and has found the project does not require CEQA review Under Article 12. *Special Situations*, Section 15183 Projects Consistent with a Community Plan or Zoning of the CEQA guidelines, which states that "a project consistent with the development density established by existing zoning, community plan, or general plan policies for which an [Environmental Impact Report] EIR was certified shall not require additional environmental review, except as might be necessary to examine whether there are project-specific significant effects which are peculiar to the project or its site." After reviewing both the proposed project and the CEQA Statutes & Guidelines, staff has determined that the project is consistent with development density and the County's Zoning

Ordinance and will not lead to environmental impacts that are “peculiar to the project or the parcel on which the project would be located.” There is no substantial evidence that the proposed building and site improvements will have a significant effect on the environment not analyzed in the previously certified General Plan EIR.

SUPPORT INFORMATION

Attachments to Staff Report

Findings

Conditions of Approval

Exhibit A.....Location/Vicinity Map

Exhibit B.....General Plan Land Use Designation Map

Exhibit C.....Zoning Map

Exhibit D.....Site Plan

Exhibit E.....Building Elevations

Exhibit F.....Landscaping Plan

FINDINGS

Design Review Permit Revision DR-R23-0002/Food Bank of El Dorado County Expansion Planning and Building Department Director/October 16, 2023

1.0 CEQA FINDINGS

- 1.1 This project has been found to be statutorily exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15183 of the CEQA Guidelines stating that “a project consistent with the development density established by existing zoning, community plan, or general plan policies for which an [Environmental Impact Report] EIR was certified shall not require additional environmental review, except as might be necessary to examine whether there are project-specific significant effects which are peculiar to the project or its site.” Staff has determined that the project is consistent with development density and the County’s Zoning Ordinance, and will not lead to environmental impacts that are “peculiar to the project or the parcel on which the project would be located.” There is no substantial evidence that the proposed building and site improvements will have a significant effect on the environment not analyzed in the previously certified General Plan EIR.
- 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 Planning and Building Department - Planning Division at 2850 Fairlane Court, Placerville, CA, 95667.

2.0 GENERAL PLAN FINDINGS

- 2.1 The project is consistent with the Industrial (I) land use designation of the subject site as defined by General Plan Policy 2.2.1.2. The project consists of a warehouse, which is consistent with the allowed uses for the Industrial Light within Design Review Community Combining (IL-DC) Zone District with an approved Design Review Permit or Design Review Permit Revision.
- 2.2 As conditioned, and with adherence to County Code, the project is consistent with all applicable Policies of the General Plan, including:
 - 2.2.1 2.2.5.21 (compatibility with surroundings) because the project concentrates the commercial activities adjacent to other industrial/commercial parcels, and limits the visual intrusion within that area;
 - 2.2.2 5.1.2.1 (adequate utilities and public services), 5.2.1.2 (water for emergency), 5.2.1.4 (available domestic water), 5.7.1.1 (adequate emergency water and related facilities), because the project will utilize potable water from existing El Dorado Irrigation District (EID) facilities and emergency water from the required EID fire hydrant;

- 2.2.3 6.2.3.2 (adequate emergency vehicle ingress/egress) because the El Dorado County Fire Protection District found the current project configuration has adequate emergency vehicle ingress/egress.

3.0 ZONING FINDINGS

- 3.1 With an approved Design Review Permit Revision, the project is consistent with the El Dorado County Zoning Ordinance designation of IL because as the project provides a warehouse use pursuant to Section 17.34.020.A of the Zoning Code.
- 3.2 The project is consistent with the El Dorado County Zoning Ordinance Development Standards because the building size and location meet the development standards pursuant to Section 17.34.040 of County Code.

4.0 DESIGN REVIEW FINDINGS

- 4.1 The architectural style, site layout, and improvements for this project are consistent with the Community Design Guidelines.

CONDITIONS OF APPROVAL

**Design Review Permit Revision DR-R23-0002/Food Bank of El Dorado County Expansion
Planning and Building Department Director/October 16, 2023**

- 1. This Design Review Permit Revision approval is based upon and limited to compliance with the project description, the Conditions of Approval set forth below, and the following hearing Exhibits:

Exhibit D.....Site Plan
Exhibit EBuilding Elevations
Exhibit F.....Landscaping Plan

Any deviations from the project description, Conditions of Approval, or exhibits shall 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.

The project description is as follows:

The proposed project includes the construction of a second warehouse building and associated site improvements on a developed parcel within the Barnette Business Park. The proposed building will total 14,300 square feet with a total height of 28.5 feet.

The grading, development, use, and maintenance of the property, the size, shape, arrangement, and location of structures, parking areas and landscape areas, and the protection and preservation of resources shall conform to the project description above and the hearing exhibits and Conditions of Approval below. The property and any portions thereof shall be sold, leased, or financed in compliance with this project description and the approved hearing exhibits and Conditions of Approval hereto. All plans must be submitted for review and approval and shall be implemented as approved by the County.

- 2. Relocation of easements shall be completed to the satisfaction of El Dorado Irrigation District (EID).
- 3. **Landscaping.** The final landscape plan shall be substantially consistent with Exhibit F and comply with Zoning Code Chapter 130.33 and General Plan Policies 7.3.5.1 and 7.3.5.2; and be approved by Planning Services prior to issuance of a building permit. The following additional information shall be submitted prior to final inspection of installed landscaping:
 - a. Completed, signed Model Water Efficient Landscape documents consistent with the new County Model Water Efficient Landscape Ordinance (MWELo).

- b. A filed copy of an irrigation audit report or survey approved by EID with the Certificate of Completion. The applicant shall install and maintain the landscaping in accordance with the approved final landscaping plan in perpetuity.
4. **Lighting.** Exterior lighting shall be limited to sconce-type wall-mounted lights on the exterior of the building. No pole lighting is approved with this permit. All outdoor lighting shall conform to Section 130.34.020 of the Zoning Ordinance and be fully shielded pursuant to the Illumination Engineering Society of North America's (IESNA) full cut-off designation. Any light fixture that does not have a specification sheet submitted with the building permit that specifically states that fixture meets the full cutoff standards, shall require a fixture substitution that meets that requirement. Any security lighting on the buildings shall be designed with motion-sensor activation. Should final, installed lighting be non-compliant with full shielding requirements, the applicant shall be responsible for the replacement and/or modification of said lighting to the satisfaction of Planning Services.
5. **Parking.** Parking shall be improved consistent with Chapter 130.35 of the County Code. Parking shall conform to the approved Site Plan (Exhibit D) and include 19 additional spaces constructed in accordance with Title 24 of the current Building Code.
6. **Condition Compliance.** Prior to issuance of certificate of occupancy of a building permit or commencement of any use authorized by this permit the applicant shall provide a written description, together with appropriate documentation, showing conformance of the project with each Condition imposed as part of the project approval.
7. **Hold Harmless Agreement.** In the event of any legal action instituted by a third party challenging the validity of any provision of this approval, the developer and landowner agree to be responsible for the costs of defending such suit and shall hold County harmless from any legal fees or costs County may incur as a result of such action. The applicant shall defend, indemnify, and hold harmless El Dorado County and its agents, officers, and employees from any claim, action, or proceeding against El Dorado County or its agents, officers, or employees to attack, set aside, void, or annul an approval by El Dorado County. County shall notify the applicant of any claim, action, or proceeding and County will cooperate fully in the defense.
8. **Permit Implementation.** Pursuant to County Code Section 130.54.060, implementation of the project must occur within 24 months of approval of this Design Review Permit Revision, otherwise the permit becomes null and void. It is the responsibility of the applicant to monitor the time limit and make diligent progress toward implementation of the project and compliance with conditions of approval.
9. **Archeological Resources.** The following shall be incorporated as a note on the grading/improvement plans:

In the event archeological resources are discovered during grading and construction activities, the applicant shall ensure that all such activities cease within 50 feet of the discovery until an archaeologist can examine the find in place. If the find is determined to be a “unique archaeological resource”, contingency funding and a time allotment sufficient to allow recovering an archaeological sample or to employ one of the avoidance measures may be required under the provisions set forth in Section 21083.2 of the Public Resources Code. Construction work could continue on other parts of the project site while archaeological mitigation takes place.

If the find is determined to be a “unique archeological resource”, the archaeologist shall determine the proper method(s) for handling the resource or item in accordance with Section 21083.2(b-k). Any additional costs as a result of complying with this section shall be borne by the project applicant. Grading and construction activities may resume after appropriate measures are taken or the site is determined a “nonunique archeological resource”.

Planning Services shall verify the inclusion of this notation on the grading plans prior to the issuance of a grading permit.

10. **Human Remains.** The following shall be incorporated as a note on the grading/improvement plans:

In the event of the discovery of human remains, all work shall cease, and the County coroner shall be immediately notified pursuant to subdivision (c) of Section 7050.5 of the Health and Safety Code and Section 5097.98 of the Public Resources Code. The coroner shall make his or her determination within two (2) working days from the time the person responsible for the excavation, or his or her authorized representative, notifies the coroner of the discovery or recognition of the human remains. If the coroner determines that the remains are not subject to his or her authority and if the coroner recognizes the human remains to be those of a Native American or has reason to believe that they are those of a Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission.

Upon the discovery of the Native American remains, the landowner shall ensure that the immediate vicinity, according to generally accepted cultural or archaeological standards or practices, where the Native American human remains are located, is not damaged or disturbed by further development activity until the landowner has discussed and conferred, as prescribed in Section 5097.98 of the Public Resources Code, with the most likely descendants regarding their recommendations. The descendants shall complete their inspection and make their recommendation within 48 hours of their notification by the Native American Heritage Commission. The recommendation may include the scientific removal and nondestructive analysis of human remains and items associated with Native American burials or other proper method(s) for handling the remains in accordance with Section 5097.98(b-h). Any additional costs as a result of complying with

this section shall be borne by the project applicant. Grading and construction activities may resume after appropriate measures are taken.

Planning Services shall verify the inclusion of this notation on the grading plans prior to the issuance of a grading permit.

El Dorado County Department of Transportation (DOT)

11. **Encroachment Permit(s).** Obtain an encroachment permit from DOT and construct the roadway encroachment onto Dividend Drive to the satisfaction of DOT.
12. **Site Access.** Design and pave the project encroachment consistent with County Standard Plan 103G. Design the site improvements to ensure adequate stopping sight distance per Caltrans Highway Design Manual Chapter 200 is provided and maintained at the project driveway in both directions.
13. **Consistency with County Codes and Standards.** Obtain approval of project improvement plans consistent with the County Building Code and pay all applicable fees prior to commencement of construction.
14. Ensure the project improvement plans and grading plans conform to the County Grading, Erosion and Sediment Control Ordinance, Grading Design Manual, the Drainage Manual, Storm Water Ordinance (Ord. No. 5022), Off-Street Parking and Loading Ordinance, all applicable State of California Water Quality Orders, the State of California Handicapped Accessibility Standards, and the California Manual on Uniform Traffic Control Devices (MUTCD).
15. **Stormwater Management.** Construct post construction storm water mitigation measures to capture and treat the 85th percentile 24-hour storm event as outlined in the California Phase II Municipal Sources (MS) 4 Permit and the County's West Slope Development and Redevelopment Standards and Post Construction Stormwater Plan. Show detention and/or retention facilities on the project improvement plans to fully mitigate any increased runoff peak flows and volumes in accordance with the County Drainage Manual.
16. **Water Quality Stamp.** Include a stormwater quality message stamped into the concrete on new or reconstructed drainage inlets, conforming to the Stormwater Quality Design Manual for the Sacramento and South Placer Regions, Chapter 4, Fact Sheet SD-1. Obtain approval of proposed message from County Engineer prior to construction.
17. **Regulatory Permits and Documents.** Incorporate all regulatory permits and agreements between the project and any State or Federal Agency into the Project Grading and Improvement Plans prior to the start of construction of improvements.
18. Grading or Improvement plans for any phase may be approved prior to obtaining regulatory permits or agreements for that phase, but grading/construction of

improvements may not proceed until the appropriate permits or agreements are obtained and the grading/improvement plans reflect any necessary changes or modifications to reflect such permits or agreements.

19. Project Conditions of Approval shall be incorporated into the Project Improvement Plans when submitted for review.

El Dorado County Air Quality Management District (AQMD)

20. **Fugitive Dust.** As we understand the project, there will be no grading or construction necessary. Please be advised that a Fugitive Dust Mitigation Plan (FDP) Application with appropriate fees shall be submitted to and approved by the AQMD prior to start of project construction. If during the course of the project a Grading Permit is required from Building Services, dust control measures shall comply with the requirements of AQMD Rule 223, Fugitive Dust – General Requirements and Rule 223.1 – Construction, Bulk Material Handling, Blasting, Other Earthmoving Activities and Trackout Prevention.
21. **Open Burning.** Burning of waste vegetation that results from "Land Development Clearing" must be permitted through the AQMD. Only dry vegetative waste materials originating from the property may be disposed of using an open outdoor fire. Burning shall adhere to AQMD Rule 300, Open Burning.
22. **Paving.** Road construction shall adhere to AQMD Rule 224, Cutback and Emulsified Asphalt Paving Materials.
23. **Painting/Coating.** The application of architectural coatings shall adhere to AQMD Rule 215, Architectural Coatings.

El Dorado County Surveyor's Office

24. Applicant will be required to coordinate with the County Surveyor's Office to ensure that all buildings on the subject parcel are addressed in compliance with County Code, Chapter 110.04. Compliance is required with 30 days of approval.
25. All boundary monuments disturbed during project construction shall be reset by a Professional Land Surveyor or Qualified Engineer as defined by Section 8771 of the California Business and Professions Code (Land Surveyors Act).

El Dorado County Environmental Management Division (EMD)

26. **Environmental Health.** This project proposes to add a new, 14,300 square foot food warehouse with a serving kitchen and will be required to be constructed to the standards of the California Retail Food Code (CRFC). A plan review and approval by EMD in conjunction with a building permit will be required prior to construction to verify that the facility meets CRFC requirements. An annual health permit will be required for this

facility if it is separate from the existing food bank building. EID will provide water and sewer utilities for this project.

27. **Solid Waste.** Construction and Demolition (C&D) Debris Recycling State Law mandates that a minimum of 65% of the waste materials generated from covered Construction and Demolition projects must be diverted from being landfilled by being recycled or reused on site. Please visit the following website to view El Dorado County's Construction & Demolition Debris Recycling Ordinance Program information and requirements. If after reviewing this information you still have questions, you're welcome to call Environmental Management at (530) 621-5300.
28. **Senate Bill (SB) 1383 – Short-Lived Climate Pollutants (Non-Residential).** State and County law requires that all non-residential dwellings that generate at least two (2) cubic yards of solid waste per week to have an organics recycling program for the following types of organic wastes: green waste, landscape, pruning waste, food waste, and food-soiled paper.
29. **Trash and Recycling Enclosures (Commercial).** New Commercial construction or additions resulting in more than 30% of the floor area shall provide readily accessible areas identified for the storage and collection of Blue Container and Green Container materials, consistent with the three-, three-plus, or two-container collection program offered by the jurisdiction, or shall comply with provision of adequate space for recycling for Multi-Family and Commercial premises pursuant to Sections 4.408.1, 4.410.2, 5.408.1, and 5.410.1 of the California Green Building Standards Code, 24 CCR, Part 11 as amended provided amended requirements are more stringent than the CALGreen requirements for adequate recycling space effective January 1, 2020