

## **FINDINGS**

### **Rezone Z14-0011/Planned Development PD14-0009/ Special Use Permit Revision S94-0002-R/Green Valley Mortuary and Cemetery Planning Commission/May 14, 2015**

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 This project has been found to be Categorically Exempt from the requirements of the California Environmental Quality Act (CEQA) in compliance with Section 15301(e)(2) ("Existing Facilities" of the CEQA Guidelines) that applies to additions to existing structures that will not result in more than 10,000 square feet in an area where all public services and facilities are available and the project is not located in an environmentally sensitive area.
- 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, at 2850 Fairlane Court, Placerville, CA.

##### **2.0 GENERAL PLAN FINDINGS**

- 2.1 The project site is located within the Cameron Park Community Region. General Plan Policy 2.1.1.7 requires development within the Community Regions only in accordance with all applicable General Plan Policies. The General Plan Land Use map designates the project site as Medium-Density Residential (MDR). According to General Plan Table 2-1 (Planning Concept Areas and Land Use Designation Consistency Matrix), the MDR land use designation is considered appropriate for and is consistent with the Community Region Planning Concept Area.
- 2.2 As proposed, the project is consistent with General Plan Policy 2.2.1.2 and the General Plan Land Use designation of MDR. Cemetery uses are not specifically identified in the MDR land use designation. However, Policy 2.2.5.10 recognizes the need to allow for certain types of extended family support services and institutional uses in residential areas identified on the General Plan land use map. Uses that are consistent with the policy provide a direct service to families and/or communities and include cemeteries. Since cemeteries are specifically listed in the policy, the use is considered consistent with the MDR land use designation.
- 2.3 The project is consistent with all applicable Policies of the General Plan. As conditioned, the proposal is consistent with the intent of the following Policies:

- 2.3.1 2.2.3.1 (Planned Development (–PD) Combining Zone District) because the project includes a rezone of the lot to include the –PD combining zone to carry out the non-residential planned development consisting of the legitimization of an existing building and a proposed addition through flexibility in the required front yard setback.
- 2.3.2 5.1.2.1 (adequate utilities and public services), 5.2.1.2 (water for emergency), and 5.2.1.4 (reliable water) because the site is located in the Cameron Park Community Region and is already adequately served by the El Dorado Irrigation District. The El Dorado Hills Fire Department recommended conditions of approval have demonstrated there is adequate water for fire protection.

### **3.0 ZONING FINDINGS**

- 3.1 The project is consistent with the MDR Zone because Section 130.28.070.B allows cemetery land uses within the R1A zone with approval of a special use permit. The existing cemetery use was approved through Special Use Permit S94-0002 with the mortuary use also approved as an ancillary use to the cemetery. With an approved rezone from One-Acre Residential (R1A) to One-Acre Residential-Planned Development (R1A-PD), along with an approved Development Plan, the project would be allowed to deviate from the development standards of the R1A Zone because the PD combining zone would allow the flexibility to legitimize the existing structure and the proposed addition with the proposed less-than 30-foot setback to existing right-of-way easement for Green Valley Road.

### **4.0 PLANNED DEVELOPMENT FINDINGS**

- 4.1 The Planned Development zone request is consistent with the General Plan because the proposed request to rezone the approximately 7-acre portion of the 8.6-acre lot from One-Acre Residential (R1A) to One-Acre Residential-Planned Development (R1A-PD) remains consistent with the MDR General Plan land use designation. The proposed Development Plan is consistent with applicable General Plan policies as outlined in section 2.0 General Plan Findings above.
- 4.2 The proposed development is so designed to provide a desirable environment within its own boundaries. The existing structure alteration, monument sign alteration, and proposed addition are architecturally appealing and the site provides attractive landscaping, adequate parking, and adequate lighting. The proposed project would enhance the amenities for the existing mortuary and cemetery uses on the site by providing a reception area to be utilized by patrons in conjunction with existing services.
- 4.3 The proposed exceptions to the standard requirements of the zone regulations are justified by the design of the project. The request includes exceptions to the standard requirements for zone regulations pertaining to minimum setbacks. A Planned Development application is required to allow for flexibility in the required setbacks for the underlying R1A zone. The project has been designed to cluster the development to the southeastern portion of the site where the existing mortuary is located and not impact the areas identified for cemetery plots. The area identified for the proposed addition

currently sits approximately 10-15 feet above the existing Green Valley Road alignment and is screened by fully mature landscaping.

- 4.4 The site is physically suited for the proposed uses. The project site contains an existing cemetery and associated mortuary structure. The proposed project would result in alteration and expansion of the existing mortuary structure that attempts to cluster development adjacent to existing structures, in an area that is relatively flat and is currently developed with on-site parking, and is suitable for development. The proposed project would not degrade the physical suitability of the site.
- 4.5 Adequate services are available for the proposed uses, including, but not limited to, water supply, sewage disposal, roads and utilities. The project site is currently served by EID public water and sewer services. No alteration or intensification would occur that would require additional services or road improvements.
- 4.6 The proposed uses do not significantly detract from the natural land and scenic values of the site. The existing development is compatible with the surrounding land use improvements. The subject property is developed and does not negatively impact any natural or scenic features of the site.

## **5.0 ADMINISTRATIVE FINDINGS FOR A SPECIAL USE PERMIT**

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

The proposed revision to the special use permit and resultant project, including design and improvements, is consistent with the General Plan policies as it allows for certain types of extended family support services and institutional uses in residential areas identified on the General Plan land use map, would retain its MDR land use designation, and is consistent with the General Plan as outlined in Finding 2.0 above.

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

The project will result in insignificant environmental, visual, noise, and traffic impacts to surrounding residents. After review of the site plan and upon consultations with concerned agencies, it has been determined that the impacts of the project will not have a detrimental affect nor be injurious to the neighborhood. The proposed use would not create hazards that would be detrimental to the public health, safety, and welfare, or injurious to the neighborhood based on the data and conclusions contained in the Staff Report. The project attempts to cluster development adjacent to existing structures, in an area that is relatively flat and is currently developed with on-site parking, and is suitable for development. The project is being developed or conditioned to comply with all County Code Requirements.

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

Section 130.28.070.B allows cemetery land uses within the R1A zone with approval of a special use permit. The existing cemetery use was approved through Special Use Permit

S94-0002 with the mortuary use also approved as an ancillary use to the cemetery. Condition of approval No. 8 of S94-0002 allows minor revisions to the special use permit by the Planning Director but major revisions require approval through a public hearing by the appropriate approving authority. The alteration of the existing mortuary and signage, along with the proposed additions were determined to constitute a major revision to the existing special use permit. Therefore, the proposed revisions require subsequent planning commission review.