



**COUNTY OF EL DORADO
PLANNING AND BUILDING DEPARTMENT
ZONING ADMINISTRATOR
STAFF REPORT**

Agenda of: January 19, 2022
Item No.: 5.a.
Staff: Evan Mattes

CONDITIONAL USE PERMIT

FILE NUMBER: CUP20-0005/Saratoga Lane Outdoor Auto Storage

PROPERTY

OWNER/APPLICANT: Adam Croxton

REQUEST: A Conditional Use Permit to allow for the construction and operation of an outdoor vehicle storage area with associated sales and rentals.

LOCATION: On the north side of Saratoga Lane approximately 0.2 mile southeast of the intersection with Robin Lane, in the Cameron Park area, Supervisorial District 2. (Exhibit A)

APN: 109-213-010 (Exhibit B)

ACREAGE: 1.33 acres

GENERAL PLAN: Commercial (C) (Exhibit E)

ZONING: Community Commercial-Design Control (CC-DC) (Exhibit F)

ENVIRONMENTAL DOCUMENT: Mitigated Negative Declaration

RECOMMENDATION: Staff recommends the Zoning Administrator take the following actions:

1. Adopt the Mitigated Negative Declaration based on the Initial Study prepared by staff;
2. Adopt the Mitigation Monitoring Reporting Program in accordance with California Environmental Quality Act (CEQA) Guidelines Section 15074(d), incorporated as Conditions of Approval;

3. Approve Conditional Use Permit CUP20-0005 based on the Findings and subject to the Conditions of Approval as presented.

EXECUTIVE SUMMARY

Approval of Conditional Use Permit CUP20-0005 would allow for the operation of a 22,280 square foot (sf) outdoor vehicle storage area and an associated 4,685 sf outdoor vehicle sales/rental area, with onsite improvements including driveway, parking lot, utilities, lighting, landscaping, sanitary dump station and portable office on an approximately 1.33-acre parcel.

PROJECT BACKGROUND

The project site is previously disturbed parcel that is the subject to ongoing code enforcement case for the establishment of an RV storage facility without an approved Conditional Use Permit. Approval of this CUP would rectify the ongoing code case.

ENVIRONMENTAL SETTING

The Project site fronts on the North side of Saratoga Lane approximately 0.2 mile south east of the intersection with Robin Lane in the Cameron Park Area of El Dorado County, California. The site is designated Commercial in the General Plan and is zoned Community Commercial-Design Control (CC-DC). The project is within a Community Region (Cameron Park) as designated by the General Plan. There are no other special designations applicable to the site.

The undeveloped project site consists of flat topography. Elevations at the site is approximately 1,325 feet above mean sea level (msl). Drainage within the subject property generally flows to the south towards Saratoga Lane. The majority of the parcel is highly disturbed with crushed rock, with minimal vegetation on site.

There is a commercial building north of the project site, which includes a child daycare, offices, and a driving school. The parcel immediate east is vacant, while further west is an automotive repair shop. To the south is another automotive repair shop. To the west is a pipe warehouse and distribution center.

PROJECT DESCRIPTION

A Conditional Use Permit to allow the construction and operation of a new outdoor vehicle storage, rental and sales facility, Saratoga Lane Outdoor Storage. The facility would consist of 47 storage spaces and 9 sale/rental spaces with roads on-site made of crushed rock surface, trash enclosure, perimeter landscaping, a 216 square foot portable office, and a 180 square foot sanitary dump station with five asphalt spaces of associated parking. An existing 7-ft chain link fencing with tan plastic slat inserts and electronic gate secures the perimeter of the development area. Project signage would be one 3-ft x 6-ft monument sign. Landscaping is designed to utilize drought-tolerant species and would be consistent with the County's Model Water Efficiency Model (MWELo) program. Proposed lighting would be designed to be fully shielded pursuant to the Illumination Engineering Society of North America's (IESNA) full cut-off designation.

Access to the project site is from Saratoga Lane, a non-County maintained road. A Facilities Improvement Letter (FIL) from the El Dorado Irrigation District (EID) was included with requirements for improvements to connect to public water/sewer service. Electricity/utilities would be provided by connecting to PG&E. The project would have two part-time employees. Business hours would be Monday through Sunday from 6am to 10pm for renter/lessee vehicle storage and 7 am to 7 pm for vehicle rental/sales.

STAFF ANALYSIS

Environmental Review: Staff has prepared an Initial Study Mitigated Negative Declaration (ISMND) and has determined that there is no substantial evidence that the project would have a significant effect on the environment, therefore a Mitigated Negative Declaration has been prepared and a Notice of Determination (NOD) will be filed. A \$50.00 filing fee for the NOD is required. The ISMND has been circulated in advance of the Zoning Administrator public hearing for a 20-day local review period.

In accordance with California Fish and Wildlife Code Section 711.4, the project is subject to the current California Fish and Wildlife fee, after approval, but prior to the County filing the Notice of Determination of the project. This fee plus the \$50.00 filing fee, is to be submitted to The Planning Department and must be made payable to El Dorado County. The fee is forwarded to the State Department of Fish and Wildlife and is used to help defray the cost managing and protecting the State's fish and wildlife resources.

The Initial Study (Exhibit J) identified one potentially significant impact from noise to sensitive receptors in the area and potential impact to tribal resources. Any significant impacts to the aforementioned resources would be avoided or reduced to a less-than-significant level by mitigation measures incorporated into the project. To ensure compliance with required mitigation measures, a Mitigation Measures Agreement (MMA) will be required, signed by both the County and applicant, to ensure the applicant will comply with the County Mitigation Monitoring and Reporting Program (MMRP). For this project, the MMRP incorporates NOISE-1 (Soundwall Construction) and TRC-1 Tribal Cultural Resource), included as Conditions of Approval No. 6 and 7, respectively. The project MMRP will be adopted in conjunction with the Mitigated Negative Declaration.

General Plan Consistency: Staff has reviewed the project for consistency with all applicable General Plan policies including Policy 2.2.1.2 (appropriate land use types and density), Policy 5.1.2.1 (adequacy of public services and utilities), Policy 5.1.2.2 (adequate public services for new discretionary development), Policy 5.7.2.1 (adequate fire protection services), Policy 6.2.3.2 (adequate emergency access) and Policy 7.4.4.4 (impacts to oak resources). Staff has determined that the project is consistent with these policies and related requirements in the El Dorado County General Plan, as discussed in more detail in Section 2.0 of the Findings.

Zoning Ordinance Consistency: Staff has determined that the project is consistent with applicable regulations and requirements in Title 130 of the County Ordinance Code, including the Conditional Use Permit requirement for automotive sales, rentals and storage (Table 130.22.020 – Commercial Zone Use Matrix), Landscaping Standards (130.33), Parking

Standards (130.35) and Noise Standards (Chapter 130.37). For details, please refer to the discussion in Section 3.0 of the Findings.

Public and Agency Comments: The project was distributed to all applicable public agencies and organizations for review and comment including the County Department of Transportation (DOT), the County Environmental Management Department (EMD), the El Dorado Irrigation District, the El Dorado County Sheriff's Office, the Cameron Park CSD, the County Stormwater Unit, the Cameron Park Fire Protection District and the El Dorado Disposal waste management company. Of these agencies and organizations notified of the project, comments were received from DOT, EMD and the Animal Services Division. None of these agencies had any significant issues or concerns regarding the project and recommended standard conditions of approval to ensure the project will comply with their respective regulations. To date, no public comments have been submitted for the project.

Public Outreach: No formal public outreach was conducted, and a public outreach plan was not required for this project pursuant to the County Zoning Ordinance. However, the project was duly noticed for a Zoning Administrator public hearing with a public notification range of 1,000 feet and legal advertisement was published in applicable local newspapers. In addition, project notification was also sent to the County's Zoning Administrator email subscription list and posted on the Planning Services Zoning Administrator webpage. No physical sign posting is required for Conditional Use Permits.

Conditions of Approval: The project was distributed to six applicable agencies and organizations for review and comment. Of those agencies and organizations, only three (DOT EMD and Animal Services) submitted comments, however, none of these agencies expressed significant issues or concerns regarding the project. DOT, EMD and Animal Services recommended standard conditions of approval which have been incorporated into the project as Conditions No. 5 (DOT), No. 6 (EMD) and No. 7 (Animal Services).

SUPPORT INFORMATION

Attachments to Staff Report:

- Findings
- Conditions of Approval

- Exhibit A.....Vicinity Map
- Exhibit B.....Location Map
- Exhibit C.....Site Aerial Map
- Exhibit D.....Assessor’s Parcel Map
- Exhibit E.....General Plan Land Use Map
- Exhibit F.....Zoning Map
- Exhibit G.....Site Plan
- Exhibit H.....Environmental Noise Assessment by Saxelby
Acoustics, April 25, 2019
- Exhibit I.....Cameron Park Design Review Committee
Comments
- Exhibit J.....Proposed Mitigated Negative Declaration and Initial
Study

FINDINGS

Conditional Use Permit CUP20-0005/Saratoga Lane Outdoor Auto Storage Zoning Administrator/January 19, 2022

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 during the 20-day local review period. The Mitigated Negative Declaration and associated Mitigation Monitoring and Report Program (MMRP) reflects the independent judgment of the County and has been completed in compliance with the California Environmental Quality Act (CEQA) and is adequate for this project.
- 1.2 No significant impacts to the environment as a result of this project were identified in the initial study.
- 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 Services Division, 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 Commercial (C) land use designation provides a full range of commercial retail, office and service uses to serve the residents, businesses, and visitors of El Dorado County.

Rationale: The project has a Commercial General Plan Land Use Designation and is adjacent to the north, south and east by other Commercial designations and to the east by Industrial designation. As proposed and conditioned, the project will be compatible with the existing landscape and surrounding residential uses, and therefore, consistent with this policy.

2.2 The project is consistent with General Plan Policy 2.2.5.2.

General Plan Policy 2.2.5.2 states that all applications for discretionary projects or permits including, but not limited to, General Plan amendments, zoning boundary amendments, tentative maps for major and minor land divisions, and special use permits shall be reviewed to determine consistency with the policies of the General Plan. No approvals shall be granted unless a finding is made that the project or permit is consistent with the General Plan. In the case of General Plan amendments, such amendments can be

rendered consistent with the General Plan by modifying or deleting the General Plan provisions, including both the land use map and any relevant textual policies, with which the proposed amendments would be inconsistent.

Rationale: The Conditional Use Permit is consistent with applicable General Plan policies as discussed in the staff report and is consistent with this policy.

2.3 The project is consistent with General Plan Policy 2.2.5.21.

General Plan Policy 2.2.5.21 requires development projects shall be located and designed in a manner that avoids incompatibility with adjoining land uses that are permitted by the policies in effect at the time the development project is proposed. Development projects that are potentially incompatible with existing adjoining uses shall be designed in a manner that avoids any incompatibility or shall be located on a different site.

Rationale: As conditioned the proposed use would be compatible with the surrounding industrial and commercial development, and would be an appropriate use within an area planned for industrial uses. The project is consistent with this policy.

2.4 The project is consistent with General Plan Policy TC-Xe.

For the purposes of this Transportation and Circulation Element, “worsen” is defined as any of the following number of project trips using a road facility at the time of issuance of a use and occupancy permit for the development project:

- A. A 2 percent increase in traffic during the a.m. peak hour, p.m. peak hour, or daily; or
- B. The addition of 100 or more daily trips; or
- C. The addition of 10 or more trips during the a.m. peak hour or the p.m. peak hour.

Rationale: The project, as proposed, will not worsen traffic operations and is therefore consistent with this policy. It will generate less than 10 trips in both the AM & PM peak hours.

2.5 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 utilities to be impacted by that development.

Rationale: The project was reviewed by the County Department of Transportation (DOT), the County Environmental Management Department (EMD) and the

El Dorado Disposal waste management company for adequate public services and utilities. All three agencies/organizations deemed public services and utilities adequate to serve the project, as there would be adequate water, waste disposal and access available for the project's needs. Electric service is currently provided to the project parcel by Pacific Gas and Electric and there would be no change to existing electric service as part of the project. As proposed and conditioned, the project is consistent with this policy.

2.6 The project is consistent with General Plan Policy 5.1.2.2.

General Plan Policy 5.1.2.2 requires adequate levels of public services be provided to new discretionary development, including quantity and quality of water and adequate fire protection services.

Rationale: The project was distributed to affected public service agencies and organizations serving the project parcel including the Cameron Park Fire Protection District (Fire District), DOT, EMD and the El Dorado Disposal waste management company. These agencies/organizations reviewed the project and determined adequate public services will be available to serve the project.

2.7 The project is consistent with General Plan Policy 5.7.1.1.

General Plan Policy 5.7.1.1 states prior to approval of new development, the applicant will be required to demonstrate that adequate emergency water supply, storage, conveyance facilities, and access for fire protection either are or will be provided concurrent with development.

Rationale: The Fire District reviewed the project, however did not provide any conditions, therefore standard conditions would apply and review of improvement plans would occur at time of building and/or grading permit review which would ensure adequate emergency water supply, storage, conveyance, and access for fire protection, as applicable. The project is consistent with this policy.

2.8 The project is consistent with General Plan Policy 5.7.2.1.

General Plan Policy 5.7.2.1 requires the responsible fire protection district review all applications to determine the ability of the district to provide required services and to ensure services will not be reduced below acceptable levels.

Rationale: The project was distributed to the Fire District for review. After reviewing the project plans, the Fire District determined the project would not affect the Fire District's ability to provide required fire services to the project parcel as conditioned. Therefore, the project is consistent with this policy.

2.9 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: The project was reviewed by DOT and the Fire District, both agencies determined the project site has adequate capacity for emergency vehicle access.

2.10 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 be mitigated in accordance to the standards of the Oak Resources Management Plan (ORMP).

Rationale: No oak trees will be removed or impacted as part of the project.

3.0 ZONING FINDINGS

3.1 The project is consistent with allowed uses in the CC Zone (Table 130.22.020 - Residential Zone Use Matrix).

Table 130.24.020 lists uses allowed within each of the industrial zones. For listed uses, this table also indicates whether a use is allowed by right (“P”), or by Conditional Use Permit (CUP) or other planning permit.

Rationale: For the CC zone, vehicle storage is allowed by CUP, and therefore this project request is consistent with Table 130.23.020.

3.2 The project is consistent with Chapter 130.23.030: Commercial Zones Development Standards.

Section 130.23.030 of the Zoning Ordinance establishes development standards for Commercial Zones. The proposed use conforms to mandatory minimum setbacks, height restrictions, and floor area ratio requirements.

Rationale: The project structures will be a minimum of 10 feet from the front property line, and 5 feet from side and rear property lines, and is under the 50-foot maximum allowable height.

4.0 CONDITIONAL USE PERMIT FINDINGS

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

Rationale: The proposed 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.

Rationale: The proposed use will not conflict with adjacent residential and agricultural uses. As proposed and conditioned, the project will be compatible with the residential and industrial character of the neighborhood and has been planned to minimize conflicts with adjacent property owners. As proposed and conditioned, the proposed use would not be detrimental to public health, safety and welfare, and therefore, Finding 4.2 can be made.

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

Rationale: Automotive storage is listed as a use allowed by CUP for the CC zone under Zoning Ordinance Section 130.24.020 (Matrix of Allowed Uses). Therefore, Finding 4.3 can be made.

5.0 DESIGN REVIEW FINDINGS

5.1 Design Review- Community Combining Zone

Rationale: The project site is within the Design Review Community Combining Zone (-DC). Per Zoning Ordinance Section 130.52.030, projects located on parcels within a -DC zone must complete the Design Review Permit. The site layout and improvements for the project were reviewed and determined to be consistent with the El Dorado County Community Design Guidelines specifically pertaining to Landscaping and Irrigation Standards and Parking and Loading Standards.

CONDITIONS OF APPROVAL

Conditional Use Permit CUP20-0005/Saratoga Lane Outdoor Auto Storage Zoning Administrator/January 19, 2022

Planning Services

1. This Conditional Use Permit is based upon and limited to compliance with the project description, the following hearing exhibits, and conditions of approval set forth below:

Approval of Conditional Use Permit CUP20-0005 allows for the construction and operation of a new outdoor vehicle storage, rental and sales facility, Saratoga Lane Outdoor Storage. The facility would consist of 47 storage spaces and 9 sale/rental spaces with roads on-site made of crushed rock surface, trash enclosure, perimeter landscaping, a 216 square foot portable office, and a 180 square foot sanitary dump station with five asphalt spaces of associated parking. An existing 7-ft chain link fencing with tan plastic slat inserts and electronic gate secures the perimeter of the development area. Project signage would be one 3-ft x 6-ft monument sign. Landscaping is designed to utilize drought-tolerant species and would be consistent with the County's Model Water Efficiency Model (MWELo) program. Proposed lighting would be designed to be fully shielded pursuant to the Illumination Engineering Society of North America's (IESNA) full cut-off designation. Access to the project site is from Saratoga Lane, a non-County maintained road. A Facilities Improvement Letter (FIL) from the El Dorado Irrigation District (EID) was included with requirements for improvements to connect to public water/sewer service. Electricity/utilities would be provided by connecting to PG&E. The project would have two part-time employees. Business hours would be Monday through Sunday from 6am to 10pm for renter/lessee vehicle storage and 7 am to 7 pm for vehicle rental/sales.

Exhibit G.....Site Plan

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.

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. **Permit Expiration:** Pursuant to Zoning Ordinance Section 130.54.060.A, implementation of the project shall occur within 24 months of approval of this permit,

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.

3. **Legal Indemnity/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 land owner agrees 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 land owner 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 of El Dorado County concerning a conditional use permit.

The County shall notify the applicant of any claim, action, or proceeding, and the County shall cooperate fully in the defense.

4. **Business License:** Prior to operation, the applicant shall obtain a business license from the County Treasurer-Tax Collector's office.
5. **NOISE-1:** The construction of a solid noise barrier measuring a minimum of 6-feet in height along the northern project property boundary (Attachment A). The solid noise barrier should consist of either masonry or precast concrete panels. A noise barrier constructed of wood (or wood composite) with overlapping slat construction would also be sufficient. The purpose of overlapping slats and using screws rather than nails is to ensure that prolonged exposure to the elements does not result in visible gaps through the slats, which would result in reduced noise barrier effectiveness.

Monitoring Requirement: The project applicant shall apply for a building permit for the 6-foot tall sound wall. Prior to or concurrently with the finaling of any grading or building permits, the 6-foot tall sound wall shall be finalized.

Monitoring Responsibility: Planning and Building Department

6. **TCR-1:** If any Tribal Cultural Resources (TCRs) are discovered during ground disturbing construction activities, all work shall cease within 100 feet of the find. The appropriate tribal representatives from culturally affiliated tribes shall be immediately notified. Work at the discovery location shall not resume, until the potential TCR is determined, in consultation with culturally affiliated tribes, that the find is not a TCR, or that the find is a TCR and all necessary investigation and evaluation of the discovery under the requirements of the CEQA, including AB 52, has been satisfied. Preservation in place is the preferred alternative, and every effort must be made to preserve the identified resource in place, including but not limited to project redesign. Should a project redesign be required, the project shall be required to obtain a revision to the Design Review Permit. The contractor shall implement any measures deemed by the County to

be necessary and feasible to preserve in place, avoid, or minimize impacts to the resource, including, but not limited to, facilitating the appropriate tribal treatment of the find, as necessary and feasible to preserve in place, avoid, or minimize impacts to the resource, including, but not limited to, facilitating the appropriate tribal treatment of the find as necessary.

Monitoring Requirement: Mitigation measure shall be included as a note on all grading and building permits.

Monitoring Responsibility: El Dorado County Planning and Building Department

Surveyor Department

7. Project shall coordinate with the County Surveyor's Office to ensure that all building on the subject parcel are addressed in compliance with County Code, Chapter 110.04. Compliance is required within 30 days of approval of building permit.
8. 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) prior to finaling of grading and building permits.

Department of Transportation:

9. Applicant shall pay the Traffic Impact Fees (TIF) to El Dorado County Department of Transportation (DOT) prior to commencement of operations, prior to issuance of grading permit.