

limited to the uses identified on the site plan including one caretaker dwelling, one office, six parking stalls, water/septic systems, and two signs. Hours of operation for the site, including material deliveries, shall be limited to 8:00 AM to 6:00 PM on weekdays and 9:00 AM to 5:00 PM on Saturdays. Deliveries are not permitted on Sundays.

The site contains several abandoned vehicles and a nursery structure which are not related to the proposed construction yard use and do not qualify as legal non-conforming uses. A condition of approval requires Western Water Constructors, with cooperation from the property owner, to remove all abandoned vehicles and other unauthorized uses, such as the nursery structure and other travel trailers, within 30 days from the issuance of a temporary use permit for the uses outlined in the project description. Conditions of approval concerning bonding for necessary site clean-up after the temporary use is completed and limitations on the hours for deliveries to minimize impacts on surrounding residents are included as well. Based on comments from the previous hearing, drainage and erosion control measures are addressed within the conditions of approval.

Environmental Review:

Pursuant to section 17.22.460 of the Zoning Ordinance, “the approval of a temporary use permit application shall be considered a ministerial permit pursuant to CEQA.” Section 15300.1 of the CEQA Guidelines exempts from the application of CEQA those projects over which public agencies exercise only ministerial authority.

Recommendation:

Staff recommends the Planning Commission take the following action:

1. Conditionally approve TUP07-0003 pursuant to Section 17.23.020.A.2 of the Zoning Ordinance and subject to the conditions of approval in Attachment 1, and based on the findings in Attachment 2.

Supporting Documentation:

Attachment 1: Conditions of Approval

Attachment 2: Findings

Exhibit A: Staff Report, Item 10a, February 8, 2007

Exhibit B: TUP07-0003 Site Plan

ATTACHMENT 1
CONDITIONS OF APPROVAL

FILE NUMBER TUP07-0003

May 10, 2007

1. This temporary use permit is based upon and limited to compliance with the project description, the staff report exhibit marked Planning Commission Exhibit B "Site Plan," dated December 5, 2006, 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.

The project description is as follows:

TUP07-0003 consists of the use of Assessor's Parcel Number 323-200-04 as a temporary construction storage yard for the Hangtown Creek Water Reclamation Facility upgrade. The use is permitted until the time of completion of the Hangtown Creek Water Reclamation Facility upgrade work, as determined by the City of Placerville. The temporary use at the site shall be limited to the uses identified on the site plan including one caretaker dwelling, one office, six parking stalls, water/septic systems, and two signs. Hours of operation for the site, including material deliveries, shall be limited to 8:00 AM to 6:00 PM on weekdays and 9:00 AM to 5:00 PM on Saturdays. Deliveries are not permitted on Sundays.

The use and maintenance of the property, the size, shape, arrangement, and location of structures, parking 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.

Air Quality Management District

2. All construction shall adhere to District rules 223 and 223.1 concerning fugitive dust emissions.
3. Prior to the use of the site consistent with this temporary use permit, a fugitive dust plan application with appropriate fees shall be submitted to and approved by the District.
4. The project staging area shall comply with Chapter 10 – Mobile Source Operational Controls, Article 1 – Motor Vehicles, Division 3, Air Resources Board, Title 13, California Code of Regulations, section 2485 to limit diesel fueled commercial vehicle idling for the duration of the temporary use.

El Dorado County Fire Protection District

5. Prior to occupancy under TUP07-0003, a \$150.00 site plan review fee shall be paid to the El Dorado County Fire Protection District.
6. Prior to occupancy under TUP07-0003, the project access road shall be improved to an all-weather surface to be a minimum of 20-feet wide with a 25-foot inside turning radius with a 13-foot six-inch vertical clearance capable of supporting a 40,000 pound load.
7. The site address shall be posted at the street with numbers to be a minimum of 12 inches in size prior to occupancy under this temporary use permit.
8. The applicant shall install a Knox padlock on the access gate and provide Knox box keys on the exterior of the temporary office prior to occupancy.
9. Project gates shall comply with fire prevention officer's standard (two feet wider than access road), prior to occupancy, as determined by the El Dorado County Fire Protection District.
10. Prior to occupancy, the applicant shall mount one 2A10BC fire extinguisher inside the temporary office.
11. Vegetation control shall be conducted within the fenced area to the satisfaction of the El Dorado County Fire Protection District, prior to site occupancy.

Planning Services

12. No more than two deliveries shall occur at the site each week during the hours of operation detailed within the project description.
13. Upon demolition of the animal shelter at the reclamation facility site (job site), the office shown on the submitted site plan shall be re-located to the job site.
14. Western Water Constructors, with cooperation from the property owner, shall remove all abandoned vehicles and other unauthorized uses, such as the nursery structure, within 30 days from the issuance of a temporary use permit for the uses outlined in the project description.
15. Drainage and erosion control measures shall be implemented at the project site upon issuance of this temporary use permit.
16. All temporary uses permitted under this temporary use permit shall be removed within 10 days of the completion of the Hangtown Creek Water Reclamation Facility upgrade. Failure to remove the temporary uses by this deadline will result in forfeiture of the submitted \$1,000 bond and potential Code Enforcement action.

17. All temporary outdoor lighting, including the proposed security lighting on the temporary office, shall comply with Section 17.14.170 of County Code.

ATTACHMENT 2 FINDINGS

FILE NUMBER TUP07-0003

1.0 ADMINISTRATIVE FINDINGS

- 1.1 Pursuant to 17.23.020.A.2 of the Zoning Ordinance, the Planning Commission has determined that the construction storage yard use at the subject site is an allowable temporary use for the duration of the Hangtown Creek Water Reclamation Facility upgrade and is not detrimental to the public health and safety.
- 1.2 The temporary use permit is consistent with applicable General Plan policies including 2.2.5.21, 5.3.1.6, and 5.3.1.7. As a temporary use, the project is compatible with the surrounding residential land uses because of project conditions of approval created to minimize short-term noise, lighting, traffic, and fugitive dust impacts. Upgrading the City of Placerville's Hangtown Creek Water Reclamation Facility is consistent with the General Plan policies listed above which require wastewater treatment operators to plan for future development accordingly and for future projects to connect to public wastewater treatment facilities in Community Regions. This temporary construction storage yard use is a necessary component for the success of the reclamation facility upgrade project consistent with the General Plan.