

# DEVELOPMENT SERVICES DEPARTMENT

COUNTY OF EL DORADO

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TO: Planning Commission Agenda of: June 24, 2010  
FROM: Aaron Mount, Project Planner Item No.: 9.a  
DATE: May 21, 2010  
RE: S07-0002/Randal's Woodworks Cabinet Shop

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## RECOMMENDATION

1. Certify that the project is Categorically Exempt from CEQA pursuant to Section 15301 of the CEQA Guidelines; and
2. Approve Special Use Permit S07-0002 based on the Findings in Attachment 2 and subject to Conditions in Attachment 1.

### Background:

S07-0002 was conceptually approved by the Planning Commission on August 28, 2008. The applicant has not paid any fees, however Planning Services has decided to return the project to hearing for final approval with conditions and findings.

### Discussion:

The General Plan defines a home occupation as "A commercial activity conducted solely by the occupants of a particular dwelling unit in a manner incidental to residential occupancy". Planning Services presented the application at the 2008 Planning Commission hearing with a recommendation of denial based on the applicants request for two employees in addition to the two occupants of the site that would be working in the cabinet shop. The applicant has agreed to a project description that would be consistent with the General Plan definition of no employees.

## ENVIRONMENTAL REVIEW

This project has been found to be Categorical Exempt from the requirements of CEQA pursuant to Section 15301 of the CEQA Guidelines which exempts the minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination. A \$50.00 administration fee is required by the County Recorder to file the Notice of Exemption.

## **SUPPORT INFORMATION**

### **Attachments To Staff Report:**

Attachment 1 .....Conditions of Approval

Attachment 2 .....Findings

Exhibit A .....Staff Report dated August 28, 2008

## **ATTACHMENT 1** **CONDITIONS OF APPROVAL**

### **SPECIAL USE PERMIT**

**File Number S07-0002/Randal's Woodworks Cabinet Shop**  
Planning Commission Hearing/June 24, 2010

#### **El Dorado County Planning Services**

1. This Special Use Permit is based upon and limited to compliance with the project description, exhibit contained in the Staff Report dated August 28, 2008, (Exhibit A), 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:

Approval of this Special Use Permit allows the operation of a cabinet shop as an expanded home occupation on Assessor's Parcel Number 319-040-03. Commercial activity shall be conducted by the occupants of the single family dwelling only. Hours of operation shall be from 7:00 am to 4:00 pm Monday through Friday. The cabinet shop is located in a 3,170 square foot existing accessory structure which includes a 170 square foot office and a 3,000 square foot work area. The work area includes the following equipment: saws, sanders, shapers, dust collection system, air compressor, and hand tools. The following structures/facilities are included in the Special Use Permit approval as they are located and described in Exhibit D. Any improvements or modifications to the accessory structure used as the cabinet shop that would change the size, capacity or uses allowed would require the review of Development Services:

- a. The 2,631 square-foot primary dwelling and attached garage labeled as *Existing House* in Exhibit D and as approved by Building Permit 175269 for residential and home office purposes;
- b. The existing shed for residential purposes;
- c. The existing well/pump house.

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. Project improvements shall be completed in conformance with the plans submitted and in conformance with the conditions of approval herein and shall substantially comply with Exhibit D. Minor variations are allowed, however, any major changes in the design of buildings, location of buildings, access ways, and parking shall require review and approval by the Planning Services prior to project modifications.
3. Prior to 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. The applicant shall also schedule an inspection by Planning Services for verification of compliance with applicable conditions of approval. The operator shall pay Planning Services for the time spent reviewing the site on a time and materials basis. All future development plans shall include this condition on the submitted plans.
4. Noise levels shall comply with daytime noise level criteria established by the General Plan for rural areas.
5. The applicant shall be responsible for complying with all conditions of approval contained in this Special Use Permit. Any zoning violations concerning the installation or operation of the cabinet shop are ultimately the responsibility of the property owner.
6. The applicant shall make the actual and full payment of all Planning Services processing fees for the Special Use Permit application within 30 days following its approval or prior to issuance of a Building Permit, whichever occurs first.
7. A \$50.00 administration fee is required by the County Recorder to file the Notice of Exemption. This fee shall be made payable to El Dorado County and shall be submitted to Planning Services after the end of the ten working day appeal period of a final project decision.
8. In the event of any legal action instituted by a third party challenging the validity of any provision of this approval, the applicant and landowner 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 applicant and land owner shall defend, indemnify, and hold harmless County of El Dorado and its agents, officers, and employees from any claim, action, or proceeding against County of El Dorado or its agents, officers, or employees to attack, set aside, void, or annul an approval of County of El Dorado concerning a Special Use Permit.

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

**El Dorado County Environmental Management Department**

Air Quality Management:

9. Prior to construction/installation of any new point source emission units or non-permitted emission units (i.e. gasoline dispensing facility, boilers internal combustion engines, emergency generators, spray paint booths, dust collection systems, etc.), authority to construct applications shall be submitted to the District. Submittal of applications shall include facility diagram(s) equipment specifications, list of paint products used, quantity of paint products used, emission factors, etc.
10. The project construction will involve the application of architectural coating, which shall adhere to District Rule 215 Architectural Coatings.
11. The project construction will involve the application of wood products coatings, which shall adhere to District Rule 237 Wood Products Coatings.

Hazardous Materials:

12. This facility will be regulated under the CUPA hazardous materials and hazardous waste programs. Cabinet shops generate hazardous waste from wood finishing and tool cleaning processes. The operator must obtain a hazardous waste identification number from the California Department of Toxic Substances Control. A hazardous waste contingency plan must be filed with EMD and applicable fees paid.
13. Quantity of hazardous waste generated by operator is expected to be below the Conditionally Exempt Small Quantity Generator (CESQG) threshold (27 gallons/month). Therefore:
  - a. The operator must transport hazardous waste to a facility that accepts CESQG waste, such as El Dorado Disposal, and pay the applicable fees, or
  - b. The operator must ship hazardous waste via a licensed hauler to a permitted disposal facility.
  - c. The operator must maintain records of hazardous waste generation and disposal for three years.
14. If the operation will involve the storage of reportable quantities of hazardous materials (55 gallons, 500 lbs. or 200 cubic feet) for backup power generation, a hazardous materials business plan for the site must be submitted to the Department and applicable fees paid. The facility will be subject to periodic compliance inspections.

**Diamond Springs-El Dorado Fire Protection District**

15. The developer shall meet with this District and determine where the proper fire lanes shall be installed and identified at the site, so as to provide for easy access by fire and emergency apparatus during incidents that occur at the complex.
16. Building and Fire Codes will also have to be adhered to but cannot be determined until a full set of building and site plans are received by this District.
17. The Diamond Springs-El Dorado Fire Protection District has adopted the California Fire Code, which sets the requirements for fire flow. In Appendix III-A, the minimum

required fire flow in a commercial complex or project is 1,500 gallons per-minute, for duration of two hours, at a minimum of 20 p.s.i. Until a full set of building plans can be reviewed by the Fire District, exact fire flow requirements cannot be obtained or determined.

18. A facilities Improvement Letter from the El Dorado Irrigation District must be received by the District prior to approval.
19. Fire hydrant placement shall be approved by the Fire District.
20. Knox Box shall be installed per Fire District Requirements.
21. Fire apparatus access road shall be provided within 150 feet to all portions of the building.
22. Additional requirements may be necessary once a full set of plans is submitted to this District for review.
23. Approval of subject project is conditioned on meeting the public safety and fire protection requirements of the County of El Dorado General Plan, which shall include provision of a financing mechanism for said services. The financing mechanism shall include inclusion within, or annexation into, a Community Facilities District ("CFD") established under the Mello-Roos Community Facilities Act of 1982 (Government Code §53311 et seq.) established by the Diamond springs-El Dorado Fire Protection District ("District") for the provision of public services permitted under Government Code §53313, including fire suppression services, emergency medical services, fire prevention activities and other services (collectively "Public Services"), for which proceedings are under consideration, and such, shall be subject to the special tax approved with the formation of such CFD with the Tract's inclusion or annexation into the CFD.

#### **El Dorado County Department of Transportation**

24. The applicant shall irrevocably offer to dedicate (IOD), in fee, a 30 foot wide roadway and public utility easement along the entire property frontage of Green Valley Road, or verify that 30 feet of right of way currently exists along this portion of Green Valley Road. This offer will be accepted by the County. The applicant shall complete the IOD prior to the issuance building permits.

## **ATTACHMENT 2** **FINDINGS**

### **SPECIAL USE PERMIT**

**File Number S07-0002/Randal's Woodworks Cabinet Shop**  
Planning Commission Hearing/June 24, 2010

#### **1.0 CEQA Findings**

- 1.1 The cabinet shop as an expanded home occupation is found to be Categorically Exempt from CEQA pursuant to Section 15301 of the CEQA Guidelines which exempts the minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination.
- 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 As conditioned, the proposal is consistent with the intent of 2.2.5.2 (review for General Plan consistency), 2.2.5.21 (compatibility with surroundings), and 6.5.1.2 and 6.5.1.7 (noise impacts) because the project without employees would be an expanded home occupation, would have minimal impacts on visual resources, existing utilities, and on the existing surrounding residences. There are adequate services to facilitate the site, such as water, power and solid waste. The project would not add excessive noise levels as determined by an acoustical analysis.

#### **3.0 Zoning Findings**

- 3.1 The cabinet shop as an expanded home occupation use is permitted in the RE-5 Zone District, pursuant to Section 17.28.200.G of the El Dorado County Code, with the issuance of a Special Use Permit.
- 3.2 The project, as shown in Exhibit D, and as conditioned, meets all applicable development standards contained within the El Dorado County Zoning Ordinance Sections 17.28.210 A-G.

#### **4.0 Special Use Permit Findings**

- 4.1 The issuance of the permit is consistent with the General Plan. The applicant's proposal has been determined to be in compliance with County regulations, addressing environmental issues and health and safety concerns. The proposed use is consistent with the policies in the El Dorado County General Plan and the definition of a home

occupation. The proposed use is consistent with all applicable policies and will occupy an existing 3,000 square foot barn with the exception of a 170 square-foot expansion which has not been permitted. As determined by an acoustical analysis, the project will not have a significant impact on adjacent parcels. As an expanded home occupation traffic should not significantly exceed typical residential daily trips. The project allows a commercial cabinet shop, carried out by the occupants of the project site. Therefore, staff finds that the project, as conditioned, conforms to the General Plan.

- 4.2 The proposed use would not be detrimental to the public health, safety and welfare, or injurious to the neighborhood. The use will not conflict with the adjacent residential uses. The project will result in insignificant environmental, visual, noise, and traffic impacts to surrounding residents. After review of the submitted site plan and upon consultations with concerned agencies, it has been determined that the impacts of allowing the project, will not have a detrimental affect nor be injurious to the neighborhood. The proposed use would not create hazards that would be considered detrimental to the public health, safety, and welfare, or injurious to the neighborhood.
- 4.3 The proposed use is specifically permitted by Special Use Permit. Section 17.28.200.G of the County Code requires a Special Use Permit within the RE-5 zoning district. The project must be found to not change the residential character of the premises or adversely affect the other uses permitted in a residential area. After review of the submitted information and with consultation from concerned agencies, staff has determined that, as proposed with no employees, the project is consistent with these requirements and would not affect the existing area in a significant manner as it would be incidental to the residential occupancy.