

**COUNTY OF EL DORADO DEVELOPMENT SERVICES
PLANNING COMMISSION
STAFF REPORT**



Agenda of: November 10, 2011
Item No.: 8.b
Staff: Tom Dougherty

SPECIAL USE PERMIT

FILE NUMBER: S11-0012/Day Olive Press

APPLICANT: Robert Day and Amy Bridge Day

AGENT: Douglas R. Roeca, Esq.

REQUEST: Special Use Permit to allow the operation of an olive mill facility for the processing of olives into olive oil.

LOCATION: South side of Twin Ridges Road, approximately 550 feet north of the intersection with Bayne Road, in the Coloma area, Supervisorial District 4. (Exhibit A)

APN: 006-530-19 (Exhibit B)

ACREAGE: 44.42 acres

GENERAL PLAN: Rural Residential (RR) (Exhibit D)

ZONING: Estate Residential (RE-10) (Exhibit E)

ENVIRONMENTAL DOCUMENT: Categorically exempt pursuant to Section 15303(c) of the CEQA Guidelines.

RECOMMENDATION: Staff recommends the Planning Commission take the following actions:

1. Find that the project is Categorically Exempt pursuant to CEQA Guidelines Section 15303(c); and
2. Conditionally approve Special Use Permit S11-0012 subject to the Conditions in Attachment 1, based on the Findings in Attachment 2.

STAFF ANALYSIS

Background: In addition to the project parcel, the applicants own the two parcels adjoining to the southeast (APNs 006-530-18 and -14); and the north (APN 006-530-16). The 15.52-acre parcel to the southeast comprises two APN numbers for tax rate area purposes and is undeveloped. The 44.42-acre parcel to the north is the site of the applicants' single-family dwelling and contains additional groves of producing olive trees. There are currently approximately 3,000 olive trees planted on approximately 15 acres of that parcel. The subject parcel has an orchard planned for an area within the western portion. Both of those parcels also contain nursery/quarantine areas for future orchard trees.

The only parcel subject of this special use permit request is APN 006-530-19. The subject agricultural building is currently being constructed as an agricultural barn under Building Permit 198964, issued December 21, 2010. Agricultural buildings are permitted to be constructed by right within the RE-10 Zone District, without a residential building, for support of an agricultural operation. It is the use of the facility for the processing of agricultural products that requires the special use permit. The barn will require a Building Permit to convert from a barn to a processing facility.

The history and purpose statement as submitted by the applicant is included as Exhibit G.

Project Description: Request for a special use permit pursuant to Section 17.70.100.A to allow the processing of olives into Extra Virgin Olive Oil (EVOO) within an agricultural building in the RE-10 Zone District. The 2,240 square-foot building proposed to be utilized would contain a mill room, bathroom, power and storage room, fill room for storage and bottling, and an office. The building would also include an attached 2,659 square-foot slab porch area. The exterior finish includes stuccoed walls with composition shingles with concrete columns for the porch posts. The milling is proposed to involve the applicant's olives as well as potentially other grower's olives. The facility would receive visitors by appointment only.

An Alfa Laval Olive Mill would be utilized to process the olives into olive oil. The mill can process approximately 1.75 tons of olive oil per hour. The tonnage of olive oil produced would vary each year, as the tree production varies in response to varying climatic changes. Under ideal growing season conditions, one olive tree can produce enough olives to be pressed to yield ½ gallon of olive oil. Currently there are 3,000 trees planted. Each year, the annual amount of olive oil produced would be reported to the Agricultural Commissioner as part of the Annual Crop Report for El Dorado County. They do not purchase olives or oil from any other source and they currently have a State Food Processing License with the Department of Public Health. The project may utilize labor contractors and *part-time and seasonal workers to fill bottles and make deliveries, depending on demand (orders), timing, oil availability, and general market conditions* on an intermittent and temporary basis.

The mill and the related ancillary equipment would be housed within the Mill Room, as labeled on the Processing Facility Floor Plan, included as Exhibit F-4. Exhibit F-5 shows the current olive pressing machine proposed to be utilized. That machine measures 9 feet by 13 feet. The submitted floor plan includes the following rooms and uses, as labeled on the plan:

Room	Dimensions/Square Footage	Proposed Use
Mill Room	40' by 31.5'/1,260	Equipment storage, contains the Olive Mill and ancillary equipment.
Fill Room	24.5' by 23.67'/579.91	Olive oil storage and bottling.
Office	15.67' by 16.33'/255.89	Record keeping, distribution and accounting.
Bathroom	8.83' by 16.33'/144.19	Facilities.
Power & Storage	9.83' by 8.5'/83.56	Vendor equipment storage of spare parts.
Total Sq. Ft. Slab Porch	2,659	
Total Sq. Ft. Building	2,240	

The product would be sold at Farmers' Markets, wholesale for retail sales, via the Internet, institutional food service sales, for incorporation into Community Supported Agriculture (CSA) boxes, restaurants. No on-site sales would be permitted. In addition, the applicants donate their product to not-for-profit organizations (Placerville Natural Foods Co-Op, CASA, Sierra Wildlife Rescue, et al.). Their products are proposed to be shipped via U.S. Postal Service, FedEx, UPS and DHL for some international shipments.

Site Description: The site is located on a 44.42-acre parcel that is located at the 1,620-foot average elevation above sea level. Twin Ridges is a graveled road providing access to the parcel. The site contains groves of planted ponderosa pines from a post forest fire re-planting, and other indigenous pines and oak trees. There is an olive tree orchard planned for within the western portion. The site contains a nursery quarantine and growing area for young trees. The processing building site is located near the access roadway and is under construction.

Adjacent Land Uses:

	Zoning	General Plan	Land Use/Improvements
Site	RE-10	RR	Agricultural/Agricultural building under construction, olive orchard.
North	RE-10	RR	Residential/Single-family residences.
South	RA-20	RR	Residential agricultural/Vacant parcels and one single-family residence.
East	RE-10	RR	Residential/Single-family residence.
West	AE	RR	Agricultural/Vacant; Agricultural Preserve 219.

Discussion: The surrounding parcels are designated for rural residential and agricultural uses by the General Plan. The closest residential structure on a surrounding parcel not owned by the applicants is located approximately 850 feet to the northeast, measured by air photo.

Project Issues: Discussion items include noise, traffic, and wastewater and waste products:

Noise: The olive mill would generate noise for the pressing and bottling processes. These would occur within the processing building and would occur during olive harvesting season. These would be intermittent and short-term noises, not unlike similar expected of similar agricultural operations in the County for wine making and fruit processing. Those noise levels would not be anticipated to exceed the noise limits indicated in Table 6-2 of the General Plan. The project would be anticipated to be compliant with these Policies.

Traffic: The applicants use Twin Ridges Road for access to the project parcel. This is a non-County maintained, graveled road. DOT reviewed the project proposal and determined it would not have a significant impact on current traffic patterns and therefore, they had no recommended conditions of approval. UPS and FedEx delivery vehicles currently visit the neighborhood about once a week. The proposed project would continue using those services at the existing levels. Staff has found that the project therefore would not impose an incompatible use within a residential/agricultural area and would not generate traffic beyond what is typical within a residential area.

Wastewater and Waste Products: The project building utilizes a septic system for gray water and sewage waste. An Alfa Laval Olive Mill (see Exhibit F-5) will be used to process the olives. The process allows the majority of the water/moisture to be absorbed by the solid waste or OMW (oil mill waste) which is a constituent of the paste. The OMW will be mixed within wood chips from the property which is composted. When it has composted and is no longer toxic, it is spread onto the ground under new plantings, or other areas as a mulch. The process will generate an estimated 100 gallons of vegetable water per harvest, in a year with optimum climatic conditions and tree production for the current 3,000 trees. The vegetable water can be directed to the 2,500 gallon septic tank. The applicants are looking into a market for the vegetable water which can be used in beauty products, food products, etc. The Organic Olive Production Manual (UC Publication 3505) on page 67 states that "...direct land application is a viable means of OMW utilization." Composting would result in zero wastewater disposal.

In California, agricultural processing facilities are regulated by the Regional Water Quality Control Board (RWQCB) under a discharge permit or waiver. A Discharge Permit is required for the production of 120,000 gallons of wastewater or more. As stated above, the project would produce well under that amount. It is the applicants' responsibility to consult with the RWQCB about the need for a Waste Discharge Permit, or a waiver.

General Plan: The General Plan currently designates the subject site as Rural Residential (RR). RR establishes areas for residential and agricultural development. With an approved Special Use Permit required by Section 17.70.100.A of the Zoning Ordinance, the project would conform to underlying RE-10 Zone District and therefore, the existing General Plan land use designation of RR as well. The policies and issues that affect this project are discussed below:

Land Use Compatibility: **Policy 2.2.5.21** directs that *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 project is proposed.*

Discussion: The parcel exists in a rural residential area. The 10-acre site is surrounded by sparse residential development. The surrounding parcels to the south and west are zoned for agricultural uses. Many of the surrounding residentially-zoned parcels include hobby farm-type activities as well. Therefore, it is believed that the proposed use would be compatible with the rural residential character of the neighborhood and would be compatible with the residential zoning of the subject property and compatible with the residential and agricultural zoning of the surrounding properties.

Adequate Access for Emergencies: **Policy 6.2.3.2** directs the applicant to *demonstrate that adequate access exists, or can be provided for emergency vehicles and private vehicles to access and evacuate the area.*

Discussion: The proposed project plans were reviewed by the El Dorado County Fire Protection District. The Fire District recommended a condition of approval to insure that the project would meet the minimum Fire Safe standards for the access road and turnaround capacity at the subject proposed processing building. There is an existing Georgetown Divide Public Utility District water meter and fire hydrant both located on the subject parcel and piped public domestic water existing along Twin Ridges Road to the existing residence. As conditioned, the Fire District has no outstanding concerns with the project. Therefore, the project would be in compliance with the General Plan Policy.

Noise Impacts: **Policy 6.5.1.2** states that *where proposed non-residential land uses are likely to produce noise levels exceeding the performance standards of Table 6-2 at existing or planned noise-sensitive uses, an acoustical analysis shall be required as part of the environmental review process so that noise mitigation may be included in the project design.* **Policy 6.5.1.7** states that *noise created by new proposed non-transportation noise sources shall be mitigated so as not to exceed the noise level standards of Table 6-2 for noise-sensitive uses.*

Consistent: As discussed above in the Project Issues, Noise section, the project would be anticipated to be compliant with these Policies.

Agricultural Commission Review: **Policy 8.1.3.5** states that *on any parcel 10 acres or larger identified as having an existing or potential agricultural use, the Agricultural Commission must consider and provide a recommendation on the agricultural use (except for parcels assigned urban or other non-agricultural uses by the land use map for the 1996 General Plan) or potential of that parcel and whether the request will diminish or impair the existing or potential use prior to any discretionary permit being approved.* **Policy 8.1.4.1** states that *the County Agricultural Commission shall review all discretionary development applications and the location of proposed public facilities involving land zoned for or designated agriculture, or lands adjacent to such lands, and shall make recommendations to the reviewing authority.* Adverse Impacts on Surrounding Lands: **Policy 8.2.2.2** states that *the approving authority shall find that the use will not substantially detract from agricultural production in the surrounding area and that it will be compatible with and will not have a significant adverse impact on adjacent or nearby neighborhoods beyond that allowed by the Right to Farm Ordinance and other applicable law.*

Discussion: The Agricultural Commission will review the subject request at their November, 2011 meeting. Their recommendation will be handed out at this project hearing as it is received.

Discussion: Staff finds that the proposal, as conditioned, would be compatible as the majority of the surrounding parcels are involved in hobby, small scale, or commercial agricultural use.

Conclusion: The project has been reviewed in accordance with the 2004 General Plan policies, and it has been determined that it is consistent with the General Plan. Findings of consistency with the General Plan are provided in Attachment 2.

Zoning: The project site is zoned Estate Residential (RE-10). The proposed olive processing facility is permitted by Special Use Permit in the RE-10 Zone District, pursuant to Section 17.70.100.A of the Zoning Ordinance.

Section 17.18.060.30 requires 1 space per 400 square feet devoted to manufacturing. The mill room is proposed to be 1,260 square feet therefore 3 parking spaces would be required. Offices require 1 space per 250 square feet. The proposed 256 square-foot office would therefore require 1 space. The project total required parking spaces is 4. The site plan shows there is adequate space for 4, 18-foot long by 9-foot wide parking spaces but they are not individually shown. A revised plan showing these spaces, as well as any overflow parking areas would be required to be submitted for review and approval prior to initiation of the uses permitted by an approval.

Special Use Permit Request: A Special Use Permit (SUP) application is required for the proposed project pursuant to Section 17.70.100.A of the Zoning Ordinance. Based on consistency with the General Plan, compatibility with adjacent land uses, and less than significant environmental impacts, Findings for conditional approval of the SUP are included in Attachment 2.

The Special Use Permit findings are required by Section 17.22.540 of the Zoning Ordinance:

1. *The issuance of the permit is consistent with the General Plan;*

Discussion: As discussed in the General Plan and Project Issues sections of the staff report, the project, as conditioned, would be consistent with the General Plan.

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

Discussion: The addition of conditions would insure that the project would not have a significant impact on the neighborhood and that the use would be in support of, the raising of field crops, allowed by Section 17.70.090.E.

3. *The proposed use is specifically permitted by Special Use Permit pursuant to this Title.*

Discussion: As discussed above, the use is specifically permitted by Section 17.70.100.A of the Zoning Ordinance, with an approved special use permit.

Conclusion: Based on comments received from public agencies, and as described in Attachment 2, Findings, staff finds that the project, as conditioned and with adherence to County Code, would not be detrimental to the public health, safety and welfare and would not be injurious to the neighborhood. As discussed above, staff finds the project, as proposed and conditioned, is consistent with all applicable provisions of County Zoning Ordinance Title 17.

ENVIRONMENTAL REVIEW

Staff has also determined that, pursuant to CEQA Guidelines Section 15303 (c) of the CEQA Guidelines that *a store, motel, office, restaurant or similar structure not involving the use of significant amounts of hazardous substances, and not exceeding 2500 square feet in floor area.* The use will occur within a 2,240 square-foot building. As conditioned the project is consistent with the residential development standards of the RE-10 Zone District. A \$50.00 processing 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	Location Map
Exhibit B	Assessor's Parcel Map
Exhibit C	Parcel Map PM 42-78
Exhibit D	General Plan Land Use Designations Map
Exhibit E	Zoning Map
Exhibit F-1	Site Plan, Sheet A-1; September 2010
Exhibit F-2	Elevations, Sheet A3; July 16, 2009
Exhibit F-3	Elevations, Sheet A4; July 16, 2009
Exhibit F-4	Processing Facility Floor Plan
Exhibit F-5	Olive Processing Machine (4 pages)
Exhibit G	Applicant-submitted Project Description
Exhibit H	Site Visit Photos
Exhibit I	Aerial Photo

ATTACHMENT 1

CONDITIONS OF APPROVAL

Special Use Permit S11-0012/Day Olive Press Planning Commission/November 10, 2011

Planning Services

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

- Exhibit F-1Site Plan, Sheet A-1, dated September 2010
- Exhibit F-2Elevations, Sheet A3, dated July 16, 2009
- Exhibit F-3Elevations, Sheet A4, dated July 16, 2009
- Exhibit F-4Processing Facility Floor Plan
- Exhibit F-5Olive Processing Machine (4 pages)

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 the Special Use Permit allows the operation of an olive mill facility for the processing of olives into olive oil. The use will occur within a 2,240 square-foot building containing a mill room, bathroom, power and storage room, fill room for storage and bottling, and an office, with an attached 2,659 square-foot slab porch area.

The mill and the related ancillary equipment would be housed within the Mill Room, as labeled on the Processing Facility Floor Plan, included as Exhibit F-4. The mill machine used shall be substantially consistent with the one shown in Exhibit F-5. The floor plan includes the following rooms and uses, as labeled on the plan:

Room	Dimensions/Square Footage	Proposed Use
Mill Room	40' by 31.5'/1,260	Equipment storage, contains the Olive Mill and ancillary equipment.
Fill Room	24.5' by 23.67'/579.91	Olive oil storage and bottling.
Office	15.67' by 16.33'/255.89	Record keeping, distribution and accounting.
Bathroom	8.83' by 16.33'/144.19	Facilities.

Power & Storage	9.83' by 8.5'/83.56	Vendor equipment storage of spare parts.
Total Sq. Ft. Slab Porch	2,659	
Total Sq. Ft. Building	2,240	

The milling and processing of olives into olive oil is permitted to include olives grown on-site as well other olives grown off-site. The use of a labor contractor, part-time and seasonal employees are permitted. The applicants shall receive visitors to the site by appointment only.

The olive oil will be sold at Farmers' Markets, wholesale for retail sales, via the Internet, institutional food service sales, for incorporation into Community Supported Agriculture (CSA) boxes, restaurants. No on-site sales is permitted. The products will be shipped via US Postal Service, FedEx, UPS and DHL for some international shipments.

The grading, development, use, and maintenance of the property, the size, shape, arrangement, and location of structures, and 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. Any expansion of the use or production authorized herein shall require review by Development Services prior, to determine additional permitted requirements, if any.

2. **Commercial Building Permit:** Building Permit No. 198964 shall either be converted to a commercial Building Permit for the agricultural processing facility, or to a new permit for the same.
3. **Expiration:** Pursuant to County Code Section 17.22.250, implementation of the project must occur within twenty-four 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.
4. **Project Conformance:** The applicant shall be responsible for complying with all conditions of approval contained in this Special Use Permit. Any zoning violations concerning the installation, operation, and/or abandonment of the facility are ultimately the responsibility of the property owner. 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 Exhibits listed in Condition of Approval 1 above. Minor variations are allowed, however, any major changes in any element of the approved project shall require review and approval by the Development Services Director. The Director shall decide if the changes can be approved

administratively or will be reviewed by the Zoning Administrator or the Planning Commission through an amendment to this Special Use Permit. This review shall always occur prior to any approved project modifications.

5. **Conditions Compliance:** Prior to issuance 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. The applicant shall also schedule an inspection by Planning Services prior to Building Permit final for any Building Permit for verification of compliance with applicable Conditions of Approval.
6. **Lighting:** All exterior lighting shall comply with County Code Section 17.14.170, and be fully shielded pursuant to the Illumination Engineering Society of North America's (IESNA) full cut-off designation. Security lighting shall be activated with motion-sensor or timer.

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.

7. **Noise:** Noise levels for the olive processing facility, measured at the subject property lines, shall not exceed those prescribed in Table 6-2 of the El Dorado County General Plan as outlined below:

	Daytime (7am-7pm)	Evening (7pm-10pm)	Night (10pm-7am)
Hourly dB	55	50	45
Max. dB	70	60	55

8. **Parking:** The project requires 4, 18-foot long by 9-foot wide parking spaces. The applicants shall submit a revised site plan to Planning Services for review and approval showing those spaces and any overflow parking spaces on the subject parcel, prior to initiation of use of the facility for olive processing. Permanent overflow spaces may be graveled, temporary overflow spaces may be strawed.
9. **Notice of Exemption Fee:** A \$50.00 administrative processing fee is required by the County Recorder to file the Notice of Exemption. This fee must be delivered to the El Dorado County Planning Services prior to the issuance of any development permit being issued on the project parcel.
10. **Cultural Resources:** If human remains are discovered at any time during the project improvement phase, the County Coroner and Native American Heritage Commission shall be contacted per Section 7050.5 of the Health and Safety Code and Section 5097.89 of the Public Resources Code. The procedures set forth in Supplementary Document J, Section VIII, of the California Environmental Quality Act (CEQA) Guidelines

concerning treatment of the remains shall be followed. If archaeological sites or artifacts are discovered, the applicants shall retain an archaeologist to evaluate the resource.

If the resource is determined to be important, as defined in Appendix K of the CEQA Guidelines, mitigation measures, as agreed to by the applicants, archaeologist, and Planning Services shall be implemented. Treatment of Native American remains and/or archaeological artifacts shall be the responsibility of the applicants and shall be subject to review and approval by Planning Services.

11. **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 developer and 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 Special Use Permit.

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

Environmental Management, Hazardous Materials/Solid Waste Division

12. If this facility will store reportable quantities of hazardous materials (55 gallons) or generate hazardous waste, prior to commencing operations the owner/operator must:
- a) Prepare, submit and implement a hazardous materials business plan and pay appropriate fees.
 - b) Obtain a hazardous waste generator identification number from the California Department of Toxic Substances Control.
 - c) Train all employees to properly handle hazardous materials and wastes.
 - d) Implement proper hazardous materials and hazardous waste storage methods in accordance with the Uniform Fire Code and Uniform Building Code.

Business owners and operators intending to handle hazardous materials in excess of reportable quantities are required by law to complete and file a hazardous materials business plan with our Department prior to obtaining a business license. Hazardous Materials Business Plan forms are available at:

The current link to the basic activities questionnaire is
[http://www.oes.ca.gov/Operational/OESHome.nsf/PDF/BusinessPlan/\\$file/hwfactiv.pdf](http://www.oes.ca.gov/Operational/OESHome.nsf/PDF/BusinessPlan/$file/hwfactiv.pdf)

If an applicant answers yes to any of the questions, then they must also complete and submit the forms at:

<http://www.calepa.ca.gov/Publications/Title27/Hwf2730.pdf>

<http://www.calepa.ca.gov/Publications/Title27/Hwf2731.pdf>
http://www.edcgov.us/Government/EMD/Forms/Business_Plan.aspx

All links are listed on page:

http://www.edcgov.us/Government/EMD/HazardousMaterials/Hazardous_Materials_Storage_Business_Plans.aspx

Proof of compliance with the above requirements shall be received by the Hazardous Materials/Solid Waste Division prior to initiation of any use permitted by the approval of this Special Use Permit.

13. If petroleum storage at the site (including the above ground fuel system) will have a single petroleum storage tank with storage capacity of at least 1,320 gallons or multiple petroleum storage tanks with cumulative storage capacity of at least 1,320 gallons, the applicant must comply with the California Aboveground Petroleum Storage Act (APSA), develop, submit and implement Spill Control Countermeasures Plan (SPCC), and submit the filing fees. For the purposes of the APSA program, a tank is defined as any petroleum container with capacity of 55 gallons or more. The SPCC must address all petroleum storage at the site in containers of 55 gallons or more.
14. If any hazardous materials handling has taken place from commercial, industrial, agricultural, or mining activities on the site in the past, the applicant must conduct a Phase I Environmental Site Assessment (ESA). The Phase I must be conducted in accordance with ASTM standard E 1527-00. All information developed in the Phase I process must be submitted to the Hazardous Materials Division (HMD) for review. If upon review of the Phase I information, HMD determines the property is a potentially impacted site, the applicant must apply for a permit, submit a workplan and conduct a Phase II ESA and any required site remediation activities prior to developing property.
15. The applicants shall provide sufficient space for both trash and recycling dumpsters. All solid waste, including animal waste must be stored in trash containers with tight fitting lids and hauled from the site at least once every seven days for proper disposal.

El Dorado County Fire Protection District

16. The applicant shall submit a site review fee of \$150.00 prior to finaling the Building Permit.
17. A 20-foot wide fire apparatus access road is required to be within 150 feet of all areas of the building.
 - a. The access road shall have an all weather surface.
 - b. The access road shall be capable of supporting 40,000 pounds.
 - c. If the access road is longer than 150' an approved turnaround will be required.
18. Storage shall not exceed 13,200 gallons of olive oil in a single control area.

ATTACHMENT 2

FINDINGS

Special Use Permit S11-0012/Day Olive Press Planning Commission/November 10, 2011

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 This project has been found to be Categorically Exempt from the requirements of CEQA pursuant to Section 15303 (c) of the CEQA Guidelines that *a store, motel, office, restaurant or similar structure not involving the use of significant amounts of hazardous substances, and not exceeding 2500 square feet in floor area*. The use will occur within a 2,240 square-foot building. As conditioned the project is consistent with the residential development standards of the RE-10 Zone District for the proposed structure, facilities and infrastructure.
- 1.2 The documents and other materials which constitute the record of proceedings upon which this decision is base are in the custody of the Development Services Department, Planning Services Division at 2850 Fairlane Court, Placerville, CA.

2.0 GENERAL PLAN FINDINGS

- 2.1 As conditioned, the proposal is consistent with the intent of 2.2.5.21 (compatibility with surroundings), 6.2.3.2 (adequate access), and 6.5.1.2 (noise exposure), 8.3.1.5 and 8.1.4.1 (Agricultural Commission review), and 8.2.2.2 (adverse impacts on surrounding lands), concerning compatibility with the surrounding neighborhood, Agricultural Commission review, and impacts to agriculturally-zoned lands. As conditioned, the project provides adequate access, parking and site design that insure compatibility with the surrounding permitted land uses, and is consistent with the General Plan policies identified above. The El Dorado County Department of Transportation has determined that traffic impacts will be less than significant, and the El Dorado County Fire Protection District has determined, as conditioned there will be adequate emergency access.

3.0 ZONING FINDINGS

- 3.1 The project site has an Estate Residential Ten-Acre (RE-10) zoning designation. The proposed use of an accessory building to pack and process agricultural products is permitted by Special Use Permit in the RE-10 Zone District, pursuant to Section 17.70.100.A of the Zoning Ordinance.

- 3.2 As proposed and conditioned, the project meets all applicable development standards contained within the El Dorado County Zoning Ordinance because sufficient setbacks, parking area, and building height have been provided.

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 and requirements in the El Dorado County General Plan, as discussed in the Staff Report, and known potential project-related environmental issues, and the benefits to the community have been evaluated. Therefore, the Planning Commission 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,** based on the conclusions contained in the Staff Report. The use will not conflict with the adjacent uses as the building will be buffered from view existing vegetation and because of the large sizes of the surrounding parcels. After review of the submitted site plan and upon consultations with responsible agencies, it has been determined that the impacts of allowing use of the agricultural building for the processing of olives into olive oil is not anticipated to have a detrimental affect nor be injurious to the neighborhood.
- 4.3 **The proposed use is specifically permitted by Special Use Permit.** The proposed use complies with the requirements of County Code Sections 17.70.100.A and 17.70.070 thru 17.70.110. As proposed, the project is consistent with these requirements. Section 17.70.110.A allows for the packing and processing of agricultural products and the necessary building and structures required where the nature of the product is changed. The milling and processing of olives to produce olive oil is considered the processing of an agricultural product.