

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



Agenda of: March 22, 2012
Item No.: 8.a
Staff: Gina Paolini

SPECIAL USE PERMIT

FILE NUMBER: S11-0011/Pleasant Valley Pet Clinic

AGENT: Jim Mault, Snowline Construction

APPLICANT: Karen Jackett

OWNER: Timothy and Teresa Crawford

ENGINEER: Burne Engineering

REQUEST: Special Use Permit for a 3,687 square foot animal/veterinary clinic and boarding facility for up to 6 dogs and 8 cats. The project would also include the following:

1. An outdoor exercise area to be located at the upper east side of the property measuring 20 feet by 20 feet; and
2. A monument sign measuring approximately 32.5 square feet.

LOCATION: On the north side of Pleasant Valley Road, west of the intersection with Strauss Drive, in the Pleasant Valley area, Supervisorial District 2. (Exhibit A)

APN: 078-180-37 (Exhibit (B))

ACREAGE: 1.37 acres

GENERAL PLAN: Commercial (C) (Exhibit C)

ZONING: Planned Commercial (CP) (Exhibit D)

ENVIRONMENTAL DOCUMENT: Categorically Exempt from CEQA pursuant to Sections 15301(1)(3) and 15302

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

1. Find the project is Exempt from CEQA pursuant to Sections 15301(1)(3) and 15302 of the CEQA Guidelines (Demolition of Commercial Structures and Replacement); and
2. Approve Special Use Permit S11-0011 subject to the Conditions of Approval in Attachment 1, based on the Findings in Attachment 2.

BACKGROUND: In March 2003, a code compliance case was opened to address unpermitted uses at the subject site. Outdoor sales and rentals were being conducted outside without the benefit of a Special Use Permit. Site Plan Review SPR04-0016 was approved for Ace Hardware and Rental on October 6, 2004. The Site Plan Review did not allow for outdoor sales or rentals, but allowed for the business to operate within existing enclosed buildings. Although not allowed without a Special Use Permit, Ace Hardware continued to utilize the property for a rental yard, renting small tractors, tillers, wood splitters and other small equipment. In addition, a wood splitting business was operating at the site, with a wood splitter and chain saw operating throughout the day. The business ceased operating at the site in late 2010 when the property went into contract with the applicant. The property is currently being used for storage of products and equipment for Ace Hardware, which operates a business at 4570 Pleasant Valley Road.

The applicant requested a Special Use Permit on August 10, 2011. The request includes the demolition of the existing structures at the site and construction of a new animal/veterinary clinic which would be 3,687 square feet in size.

STAFF ANALYSIS

Project Description: A Special Use Permit for a 3,687 square foot animal/veterinary clinic. The facility would provide a dedicated dental suite, expanded treatment space, an ICU and separate dog and cat boarding areas. An outdoor dog exercise area would be provided at the upper east side of the property measuring 20 feet by 20 feet and would have a three foot cyclone fence enclosing the area surrounded by landscape screening. The dog exercise area would be supervised. The hours of operation would be Monday through Friday 8:00 a.m. to 5:30 p.m., Saturday from 9:00 a.m. to 2:00 p.m. and Sunday 10:00 a.m. to 2:00 p.m. Services would be provided by three veterinarians. The applicant has provided a detailed description of the proposed use (Exhibit E).

Site Description: The project site consists of a storage/office building, workshop and office/bathroom structure. The 1.35 acre site has an existing level parking lot. Existing vegetation consists of tall grasses, two valley oaks and one black oak. The existing structures and black oak would be removed for the development of the project.

Adjacent Land Uses:

	Zoning	General Plan	Land Use/Improvements
Site	CP	C	Commercial- Office/Workshop
North	R2A	MDR	Residential- Single Family Residence
South	CP	C	Commercial- Commercial/Office/Retail
East	R2A	C	Residential-Single Family Residence
West	R2A	C	Residential- Single Family Residence

Land Use Compatibility: All but one parcel to the north are designated for commercial use; however, most of the lots have been developed with single family units. The activities associated with the proposed veterinary clinic would occur within the enclosed structure, with minimal supervised activity occurring in the dog exercise area during office hours. Noise associated with the proposed use would be minimal, and would be less than the prior use of the site. Staff believes the proposed project would be compatible with the surrounding land uses pursuant to General Plan Policy 2.2.5.21 based on design of the parking layout, landscape improvements and site lighting, as specified in the recommended Conditions of Approval in Attachment 1 (Condition No's. 4, 5 and 7).

General Plan: The General Plan designates the project site as Commercial (C). The Commercial land use provides areas for a full range of commercial retail, office, and service uses to serve the residents, businesses, and visitors of El Dorado County. Additionally, the following General Plan Policies would apply to this project:

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.

Discussion: Review of General Plan policies applicable to this Special Use Permit application show that the proposed animal/veterinary clinic would be consistent with the policies of the General Plan related to commercial uses, with the recommended Conditions of Approval in Attachment 1.

Policy 2.2.5.21 *directs that new development be compatible with the surrounding land uses.*

Discussion: The project has been designed to minimize noise impacts to adjacent residential uses. Dogs would be supervised if utilizing outdoor dog exercise area. In addition, landscape screening would be provided along the exercise area for added buffering. The commercial parking lot has been design towards the center of the lot as to not impact the adjacent residential uses. The required landscape buffer has been provided for the parking lot. As conditioned, the Special Use Permit would be compatible with the surrounding land uses.

Policy 2.5.2.2 states that new commercial development should be located nearby existing commercial facilities to strengthen existing shopping locations and avoid strip commercial.

Discussion: The project proposes an animal/veterinary clinic within the Pleasant Valley area, near the existing Holiday Market/Ace Hardware Shopping Centers. The existing veterinary clinic serves the residents in the community; however, there is a need for a larger facility. The new facility would continue to serve the needs of the residents in the area; while remaining in the general vicinity of the existing clinic.

Policy 5.2.1.2 *directs that an adequate quantity and quality of water for all uses, including fire protection, shall be provided for discretionary development.*

Discussion: The El Dorado County Fire Protection District has required that the project install a fire sprinkler system and that the required fire flow be provided, as conditioned in Attachment 1.

Policy 7.4.4.4 requires all new development projects that are over an acre and have at least 1 percent total canopy cover that a project adhere to the tree canopy retention and replacement standards of Policy 7.4.4.4.

Discussion: The project site is 1.35 acres. The tree canopy analysis determined oak canopy to be 0.01 percent of the project site (Exhibit F). The project would require the removal of an 18 inch dbh black oak reducing the total coverage of canopy by approximately 50 percent. In accordance with the El Dorado County Interim Guidelines for Oak Woodland, the oak canopy percentage retained would be below the threshold provided in Table 1 of Policy 7.4.4.4. Therefore, the applicant could replant acorns, oak seedlings or obtain an off-site conservation easement. In the project case, the applicant would be replanting on-site a native interior live oak to comply with Policy 7.4.4.4.

Conclusion: As discussed above, staff finds that the project as proposed/conditioned would be consistent with applicable General Plan Policies.

Zoning: The project site is zoned Planned Commercial (CP). A Special Use Permit application is required for the proposed project pursuant to Section 17.32.150 (B) of the County Code.

Special Use Permit: In order to approve the project, the Planning Commission must find that the project would be consistent with the General Plan and would not be detrimental to the public health, safety and welfare nor injurious to the neighborhood. Based on comments received from public agencies and as discussed in the staff report, staff finds that the project would not be detrimental to the public health, safety and welfare and would not be injurious to the neighborhood. Findings for Approval have been provided in Attachment 2.

Development Standards: The following development standards have been reviewed for the project:

- a. **Setbacks:** The project has been designed to comply with the minimum setbacks for the zone district. A detailed site plan has been provided (Exhibit G).

- b. **Building Coverage:** The maximum building coverage allowed for the zone district is 60 percent of the lot. A floor plan of the building has been provided (Exhibit H). The project would have a building coverage of approximately 0.06 percent. The project would comply with the maximum building coverage requirements.
- c. **Building Materials/Elevations:** The building would have an exterior of hardi-plank 8 inch lap siding with a composition shingle roof. The building would not exceed the maximum height limitation of 50 feet. Building elevations have been provided (Exhibit I).
- d. **Parking:** Pursuant to Section 17.18.060(29) of the County Code, veterinary clinics and hospitals require 1 parking space for 250 square feet of gross floor area exclusive of kennel boarding area. The gross floor area of the clinic would be 3,687 square feet, with the kennel boarding area to be approximately 508 square feet. Based on these figures, the required parking for the facility would be 13 parking spaces ($3,687 - 508 = 3,179 / 250 = 12.7$). As shown on Exhibit G, 23 parking spaces would be provided at the subject site. The project would comply with the County parking requirements.
- e. **Landscape Improvement Standards:** A landscape buffer is required along the property boundaries where the parking facility abuts or adjoins the public road or abuts a property under different ownership or zoning district. The parking facility contains more than ten parking spaces; therefore, an additional five percent of the gross area used for parking and access purposes, exclusive of the landscape buffer, is required to be devoted to landscaping. There is an existing 48 inch retaining wall running along the front of the property. A chain link fence sits on top of the retaining wall and encloses the property. These improvements are to remain. Landscaping along Pleasant Valley Road is in a natural state and the landscape plan does not propose additional improvements on the outside of the retaining wall. Landscape buffer improvements would be at the top of the retaining wall along the parking improvements. Additional landscape buffering would be provided along the dog exercise area to screen from residential uses. The parking lot has been designed as to not abut the adjacent residential uses, therefore additional landscape buffering between the different zone districts would not be required. The landscape plan provided complies with the minimum County Code requirements (Exhibit J).
- f. **Lighting:** The applicant has provided a photometric plan for the site (Exhibit K). Proposed lighting would be recessed in the building. No additional lighting is proposed within the parking lot. Lighting would need to be in compliance with Section 17.14.170 of the County Code and would need to be fully shielded pursuant to the Illumination Engineering Society of North America (IESNA) full cut-off designation.
- g. **Signage:** Section 17.32.140.D of the County Code allows two signs not exceeding fifty square feet in total area of any one display surface, or one sign not exceeding

eighty square feet in area to be placed on the premises. The applicant proposes a monument sign measuring approximately 32.5 square feet, with a height of 6.5 feet and a width of 5 feet (Exhibit L). The cabinet would be aluminum on an angle iron frame, with a stucco finish base to match the new building. The letters would be clear acrylic with vinyl overlays. The sign would be internally illuminated. No additional wall signage is proposed. The sign would comply with the sign regulations.

Conclusion: The project meets all the applicable development standards contained in Section 17.32.150 (B) of the County Code which allows for an animal clinic or shelter with the approval of a Special Use Permit. As discussed above, staff finds that the project, as conditioned complies with the El Dorado County Code.

Other Departments/Agencies

Public Comment: The project was circulated for review and comments from various affected agencies. A formal Technical Advisory Committee (TAC) review meeting was held on October 10, 2011 to discuss comments. The following agencies provided comments on this application:

1. El Dorado County Fire Protection District: The District would require that the building comply with the fire sprinkler and fire flow requirements. Conditions of Approval in Attachment 1 reflect the Districts requirements.
2. County of El Dorado Department of Transportation: The DOT would require that open encroachment permit No. 201827 be finalized prior to initiation of any use at the site. Conditions of Approval in Attachment 1 reflect the DOT requirements.
3. El Dorado County Environmental Management: The Department would require that a proposed sewage disposal system be designed to include an area that can support a 300 percent replacement of the disposal field. In addition, a method to dispose of hair and animal feces from the liquid waste would be required, as these do not break down in a septic tank. The applicant has already addressed some of the concerns with the Department by proposing an Aqua-Air wet/dry built-in vac system (Exhibit M). This is a state of the art system that removes the soils and contaminants out of the environment. The Department has reviewed the proposal and has accepted it. The Department has also required the preparation of a Phase 1 Environmental Assessment of the site. This has already been prepared. Conditions of Approval in Attachment 1 reflect the Departments requirements.

Copies of all written comments are available at the Planning Services office.

ENVIRONMENTAL REVIEW

This project has been found to be categorically exempt from the requirements of CEQA pursuant to Section 15301(1)(3) and 15302 of the CEQA Guidelines allowing the demolition and removal of individual small structures, and the replacement with a new commercial structure. The Special

Use Permit would allow for the demolition of the existing structures and the replacement with one building on the existing site. As conditioned, the project would be consistent with the CP Zone District which requires a Special Use Permit for an animal clinic or shelter. A \$50.00 processing fee shall be 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 Parcel Map
Exhibit C	General Plan Map
Exhibit D	Zoning Map
Exhibit E	Project Description
Exhibit F	Tree Canopy Analysis
Exhibit G	Site Plan
Exhibit H	Floor Plan
Exhibit I	Building Elevations
Exhibit J	Landscape Plan
Exhibit K	Photometric Plan
Exhibit L	Monument Sign
Exhibit M	Wet/Dry Vacuum System

ATTACHMENT 1

CONDITIONS OF APPROVAL

**Special Use Permit S11-0011/Pleasant Valley Pet Clinic
Planning Commission/March 22, 2012**

El Dorado County Planning Services

1. This Special Use Permit approval is based upon and limited to compliance with the project description and following hearing Exhibits:

Exhibit G.....	Site Plan
Exhibits H.....	Floor Plan
Exhibit I.....	Building Elevations
Exhibit J.....	Landscape Plan
Exhibit K.....	Photometric Plan
Exhibit L.....	Monument Sign

Any deviations from the project description, exhibits, or Conditions of Approval set forth below shall 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:

A Special Use Permit for a 3,687 square foot animal/veterinary clinic and boarding facility for up to 6 dogs and 8 cats to be located on a 1.37 acre parcel known as APN 078-180-37 and to include the following:

- a. An outdoor exercise area located at the upper east side of the property measuring 20 feet by 20 feet and to have a three foot cyclone fence enclosing the area with landscape screening. Dogs shall be supervised when utilizing the exercise area.
- b. An internally illuminated monument sign measuring approximately 32.5 square feet, with a height of 6.5 feet and width of 5 feet.

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. **Site Plan:** All site improvements shall conform to Exhibit G.
3. **Project Modifications:** Building design, building placement and parking lot improvements shall be completed in conformance with the plans submitted and in conformance with the conditions of approval herein. Minor variations are allowed, however, any major changes in the design of buildings, location of buildings, access ways, and parking shall require Planning Services review and approval.
4. **Landscaping:** The final landscape plan shall comply with Chapter 17.18.090 of the County Code. The applicant shall submit the landscape plan for review and approval by Planning Services prior to issuance of grading and building permits. The property owner shall maintain landscaping for the life of the project.
5. **Parking:** Parking shall be improved consistent with Chapter 17.18 of the County Code, and shall conform to the approved site plan. Planning Services shall review and approve the parking plan prior to issuance of a building permit.
6. **Business License:** The applicant shall obtain a business license prior to initiation of the use.
7. **Site Lighting:** All outdoor lighting shall conform to §17.14.170 and be fully shielded pursuant to the Illumination Engineering Society of North America's (IESNA) full cut-off designation. 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.
8. **Condition Compliance:** Prior to issuance of certificate of occupancy 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 occupancy or issuance of a building permit for verification of compliance with applicable Conditions of Approval.
9. **Processing Fees:** Planning Services shall verify that all Development Services and Noticing fees have been paid prior to issuance of any permits.
10. **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 applicant 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 by El Dorado County.

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

11. **Notice of Exemption Fee:** 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
12. **Permit Implementation:** Pursuant to County Code Section 17.22.250, implementation of the project must occur within twenty-four (24) months of approval of this Special Use 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.

El Dorado County Department of Transportation

13. **Encroachment Permit:** The applicant shall finalize an open encroachment permit dated June 3, 2011 (Permit No. 201827) for the provisions of County Design STD 103C prior to initiation of any use permitted by the approval of the Special Use Permit.

El Dorado County Environmental Management Department

14. **Disposal System:** The proposed disposal system shall be reviewed and designed based on the proposed sewage flows of the clinic. The design shall include an area that can support 300 percent replacement of the disposal field. Methods to remove hair and animal feces from the liquid waste flow shall be provided. The disposal system shall be reviewed and approved by the Environmental Management Department prior to issuance of a building permit.
15. **Hazardous Materials:** 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.

El Dorado County Fire Protection District

16. **Site Plan:** The applicant shall submit a site review fee to the District of \$150.00 prior to issue of building permit.

17. **Fire Sprinklers:** Buildings 3,600 square feet or greater require a NFPA 13 compliant fire sprinkler system. The system (valves, flow switches, etc.) shall be monitored by and approved UL list central station. This project is 3,685 square feet and shall be subject to this requirement. The District shall review and approve the system prior to issuance of a building permit.
18. **Fire Flow:** The fire flow for this project is 1,750 gallons per minute for two hours at 20 psi. The flow can be reduced to 1,500 gallons per minute if Condition No. 17 is met. The District shall review and approve the fire flow requirements prior to issuance of a building permit.
19. **Facility Improvement Letter:** A Facility Improvement Letter (FIL) shall be required from the El Dorado Irrigation District (EID) to verify the water system can supply the required flow. The FIL shall be submitted prior to issuance of a building permit.
20. **Fire Hydrants:** A fire hydrant is required to be within 150 feet of all portions of the building, as measured on an approved fire apparatus roadway. The existing hydrants in the area do not meet this requirement. This distance can be increased to use the existing hydrants if Condition 17 is met. The District shall review and approve fire hydrant requirements prior to issuance of a building permit.
21. **Review Process:** Further review processes will be required as the project moves forward, e.g. building plan review, sprinkler plan review.

ATTACHMENT 2

FINDINGS

Special Use Permit S11-0011/Pleasant Valley Pet Clinic Planning Commission/March 22, 2012

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 Sections 15301(1)(3) and 15302 of the CEQA Guidelines allowing the demolition and removal of individual small structures, and the replacement with a new commercial structure. The Special Use Permit would allow for the demolition of the existing structures and the replacement with one building on the existing site. As conditioned, the project would be consistent with the CP Zone District which requires a Special Use Permit for an animal clinic or shelter.
- 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 proposed, the project is consistent with the Commercial (C) land use designation as defined within General Plan Policy 2.2.1.2 because the land use designation permits service uses, such as a veterinary clinic that would provide a service to the residents and businesses in the community.
- 2.2 The proposal is consistent with General Plan policies, 2.2.5.2 (General Plan consistency) 2.2.5.21 (land use compatibility), 2.5.2.2 (commercial facilities) 5.2.1.2 (adequate quantity and quality of water) and 7.4.4.4 (oak tree canopy). It has been determined that the project is consistent with the General Plan because the project is compatible with the land use and would provide a needed service to the Pleasant Valley community.

3.0 ZONING FINDINGS

- 3.1 The proposed use is permitted by Special Use Permit in the Planned Commercial (CP) zone district, pursuant to Section 17.32.150(B) of the County Code provided that the administrative findings outlined below can be made by the Planning Commission.
- 3.2 As proposed and conditioned, the project meets all applicable development standards contained within the El Dorado County Code.

4.0 ADMINISTRATIVE FINDINGS FOR A SPECIAL USE PERMIT

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

The project meets the intent of the General Plan because the proposed animal/veterinary clinic supports the intent of the uses allowed within the Commercial land use designation.

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

The proposed animal/veterinary clinic and boarding facility will comply, as conditioned, with the Development Standards of the CP zone district. The proposed Special Use Permit, as conditioned, has been found to comply with the requirements of Section 17.22, Special Use Permits. The proposed use is not considered detrimental to the public health, safety and welfare, nor injurious to the neighborhood, because the primary use will be contained within the building, with outdoor activity to be supervised in order not to be detrimental to the adjacent residential uses.

4.3 The proposed use is specifically permitted by special use permit pursuant to this Title.

The proposed use, as conditioned, is specifically permitted by Special Use Permit in a CP zone district pursuant to Section 17.32.150(B) of the El Dorado County Code.