

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



Agenda of:	September 26, 2013
Item No.:	8.c
Staff:	Aaron Mount

SPECIAL USE PERMIT REVISION

FILE NUMBER: S04-0006-R-2/Placerville Elks Lodge

APPLICANT: Placerville Elks Lodge No. 1712

REQUEST: Special Use Permit Revision to add an outdoor patio as an extension of the Elks Club, two shipping containers for storage, and a RV waste water dump station.

LOCATION: The property is located on the north side of Quest Drive, at the intersection with Product Drive, in the Shingle Springs area, Supervisorial District 2. (Exhibit A)

APN: 109-402-19 (Exhibit B)

ACREAGE: 1.731 acres

GENERAL PLAN: Commercial (C) (Exhibit C)

ZONING: General Commercial-Design Community (Exhibit D)

ENVIRONMENTAL DOCUMENT: Categorically Exempt pursuant to CEQA Guidelines Section 15301

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

1. Find that the project is Categorically Exempt pursuant to CEQA Guidelines Section 15301; and
2. Approve Special Use Permit Revision S04-0006-R-2 subject to the Conditions of Approval in Attachment 1, based on the Findings in Attachment 2.

STAFF ANALYSIS

Project Description: The project is a Special Use Permit revision to add additional uses to an existing Elks Lodge located in the Barnett Business Park in Shingle Springs. The requested revisions are mainly uses that are currently being utilized at the site and the need for clarification of conditions due to State and local permitting requirements subsequent to the original approval. The shipping containers have been installed and are currently being used for storage. Additionally, the requested outdoor area connected to the Lodge has been in use but the CG zone district is clear that uses must be fully enclosed unless approved by a special use permit. The recreational vehicle (RV) wastewater dump station was previously approved as part of a septic system but has since been connected to an EID public sewer system. The Lodge has diligently pursued permitting of all uses and structures at the site.

The conditions of approval are shown in strike out/underline format to show recommended changes.

Background: The existing Elks Lodge was approved by the Planning Department under design review DR02-0014-S on December 20, 2002. Special use permit S04-0006 for the RV day use and overnight parking facility was approved by the Planning Commission on November 18, 2004. A revision to the special use permit to allow gravel surfacing of the RV parking lot instead of asphalt was approved by the Planning Commission on August 10, 2006.

Adjacent Land Uses:

	Zoning	General Plan	Land Use/Improvements
Site	CG-DC	C	Commercial/Elks Club and RV campground
North	CG-DC, C, RE-5	C	Commercial/Vacant land, single family residences, animal grooming and boarding clinic
South	CG-DC	C	Commercial/Vacant
East	CG-DC	C	Commercial/Storage facility, office building
West	CG-DC	C	Commercial/Office building

Project Issues: Discussion items for this project include the potential for noise from the outdoor patio area, RV camping permitting requirements, and visual impacts of the storage containers.

Outdoor Patio: The requested outdoor use area is an extension of the Elks Lodge and has been used informally since the lodge was constructed. The uses would include BBQ preparation, horse shoe pits, socializing of lodge members, and events. The Lodge has requested licensing from the State Department of Alcoholic Beverage Control (ABC) to allow the consumption of alcoholic beverages within this outdoor use area. The ABC license cannot be obtained until approval of this permit by the Planning Commission because the CG zone district does not allow outdoor uses without approval of a special use permit. The patio area would be located on the south end of the building facing away from the adjacent residence to the north. Multi-family residences are located to the south with the

closest residence being approximately 500 feet away. There is a grade change between the Lodge and these residences that would lessen the potential conflicts. The applicants have agreed to not have outdoor amplified voice or music which would reduce any potential impacts to adjacent residential uses to an insignificant level. In order to ensure compliance with General Plan Policies 6.5.1.6 and 6.5.1.7 staff has recommended a condition requiring that the outdoor area not be used for events past 10 p.m. consistent with General Plan Table 6-2. No complaints have been received by the County for any of the uses at the site.

RV Camping: The nine RV camping spaces at the site were previously approved by this special use permit. Clarification of conditions, as shown in strikeout in Condition 1.a, was required as the State Department of Housing and Community Development requires permitting of all campgrounds. All nine sites now have electrical and water hookups as required by the State making all sites usable for overnight RV parking. No complaints have been received by the County related to the use of the site as an RV campground. The RV wastewater dump station was previously approved as part of a septic system but has since been connected to an EID public sewer system consistent with General Plan Policy 5.3.1.1 which requires commercial development in a community region to connect to a public wastewater system.

Storage Containers: Two 8 foot by 40 foot steel shipping containers are located in the north-east corner of the parcel. The Lodge needs the additional storage to offset limited storage within the main building. The containers meet the development standards for the zone district and building permit requirements for storage containers. Staff has concerns about the visual impact of the containers from adjacent parcels and has recommended conditions of approval to add additional landscaping in order to reduce this impact. The applicants have agreed to this recommendation. The containers are not visible from the Product Drive, one of the main entrances to the Barnett Business Park, however they are visible from Quest Court which is a minor road that is access for the commercial development behind the Lodge.

ENVIRONMENTAL REVIEW

This project is Categorical Exempt from CEQA pursuant to Section 15301. The project is consistent with Section 15301 as the project is an existing commercial facility and the project proposes no expansion of structures that would have human occupancy and the uses proposed are an extension of previously approved uses that would constitute a negligible expansion. A \$50.⁰⁰ processing fee is required by the County Recorder to file the Notice of Exemption. The filing of the Notice of Exemption is optional, however, not filing the Notice extends the statute of limitations for legal challenges to the project from 30 days to 180 days.

SUPPORT INFORMATION

Attachments:

Attachment 1	Conditions of Approval
Attachment 1	Findings
Exhibit A	Location Map
Exhibit B	Assessors Plat Map
Exhibit C	General Plan Map
Exhibit D	Zoning Map
Exhibit E	Site Plan
Exhibit F	Street View of Shipping Containers from Quest Court
Exhibit G	Street View of Patio from Quest Court

ATTACHMENT 1

CONDITIONS OF APPROVAL

Special Use Permit Revision S04-0006-R-2/Placerville Elks Lodge
Planning Commission/September 26, 2013

Conditions of Approval:

1. **Project Description:** This Special Use Permit approval is based upon and limited to compliance with the project description, the Conditions of Approval set forth below, and the following hearing Exhibits:

Exhibit ESite Plan

Any deviations from the project description, conditions, or exhibits 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, as approved, consists of

- a. A members only, unattended RV day use and overnight parking facility (occupied or unoccupied) adjacent to the Elks Club currently located on the subject parcel. The facility will consist of maximum of 9 RV parking spaces, with all 6 of the 9 spaces being provided with electricity and water, and a maximum of 4 of the 9 being utilized at any one time for overnight RV overnight parking (occupied or unoccupied). Overnight stays shall be limited to spots Nos. 2, 3, 4, and 5 and will be limited to a maximum of three (3) nights and four (4) days. At no time shall the total number of RVs on the site exceed nine (9) in number.
- b. Two steel shipping containers to be located in the north-east corner of the parcel.
- c. Outdoor patio area as an extension of the lodge for bar-b-que preparation, horse shoe pits, club gatherings, and events. No outdoor amplified music or voices shall be allowed unless an acoustical analysis is submitted showing conformance with applicable General Plan Policies. Events using the outdoor patio area shall vacate the outdoor patio area by 10 p.m. each day. Minor changes to the patio area, such as covering, may be approved by staff at the discretion of the Director. Any structural changes shall match the architecture and colors of the existing Lodge.
- d. An RV waste water dump station connected to the EID public sewer system.

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. All site improvements shall conform to Exhibit E.~~

23. Policies and procedures shall be prepared by the applicant for directing any demand for RV day and/or overnight parking in excess of the numbers allowed by this permit to other local RV facilities and a copy provided to the Planning Department prior to permits being finalized by the Environmental Management Department and the Department of Transportation. Said policies and procedures shall be consistent with Exhibit F.
34. No RV will be admitted to the RV parking facility for purposes of overnight parking (occupied or unoccupied) if said RV cannot be registered, parked and have any activities necessary for overnight use and/or occupancy completed by 10:00 P.M. (This condition of approval does not prohibit normal and reasonable activities to occur within the confines of an overnight RV). Policies and procedures to this effect shall be in place and a copy provided to the Planning Department prior to permits being finalized by the Environmental Management Department and the Department of Transportation.
45. The applicant shall provide for signage and brochures posting the rules, policies, and procedures as required by Conditions 1, 2, 3, and 4. All signage and brochures shall be approved by the Planning Department and be in place prior to the permits being finalized by the Environmental Management Department and the Department of Transportation.
56. Any outdoor lighting shall conform to El Dorado County Code Section 17.14.170, and shall be fully shielded per Illumination Engineering Society of North America (IESNA) full cut-off designation. Any lighting plans developed for the RV Park shall be submitted to the Planning Department for review and approval.
67. The parking areas designated for RV day use and overnight parking facility (occupied or unoccupied) shall be graded and surfaced with a minimum of four inches of aggregate base. Ingress and egress approaches connecting the RV parking area with the existing parking facilities shall be integrated and blended appropriately.
78. Landscaping shall be installed and maintained consistent with Exhibit G and the requirements of Section 17.18.090 of the Zoning Code. Should any landscaping fail, or fail to provide sufficient screening and buffering of the RV Park from the surrounding uses as originally designed, the landscaping shall be increased and/or replaced as necessary to achieve the requisite screening. Additional landscaping shall be installed between the property lines and the two shipping containers in order to visually shield the containers. Final landscape plans shall be reviewed and approved by Planning Services.

89. No idling of RV engines shall occur at any time, nor shall the use of generators be used on site for any reason.
910. The applicant shall satisfy all permit requirements and procedures as determined by the Department of Housing and Community Development (HCD). Should the requirements of HCD significantly depart from that which is approved by the El Dorado County Planning Commission, the applicant shall return to the County for further review and approval. Minor changes may be approved at the discretion of the Planning Director. Major changes shall require a revision to the special use permit.

10. 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.

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 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.

12. 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 upon project approval.

~~11. During all grading and construction activities in the project area, an Archaeologist or Historian approved by the planning Director shall be on-call. In the event a heritage resource or other item of historical or archaeological interest is discovered during grading and construction activities, the project proponent shall ensure that all such activities cease within fifty (50) feet of the discovery until the on-call archaeologist can examine the find in place and determine its significance. If the find is determined to be significant and authenticated, the archaeologist shall determine the proper method(s) for handling the resource or item. Grading and construction activities may resume after appropriate measures are taken or the site is determined not to be of significance. The project grading and building plans shall include this condition of approval on the plans. The Planning Department shall review the grading and building plans prior to issuance of a grading or building permit.~~

~~Further, In the event of the discovery of human remains, all work is to stop and the County coroner shall be immediately notified pursuant to Section 7050.5 of the Health and Safety~~

~~Code and Section 5097.98 of the Public Resources Code. If the remains are determined to be Native American, the Coroner must contact the Native American Heritage Commission within twenty four (24) hours. The treatment and disposition of human remains shall be completed consistent with guidelines of the Native American Heritage Commission. The project grading and building plans shall include this condition of approval on the appropriate pages of the plans submitted for review. The Planning Department shall review the grading and building plans prior to the issuance of a grading or building permit.~~

- ~~12. This special use permit shall be subject to review upon the one (1) year anniversary of its approval by the Planning Commission. The permit may be subject to affirmation, modification, or termination. The applicant shall be responsible for scheduling the review with the Planning Department.~~

Environmental Management Department

13. The project shall be subject to permits issued by the Environmental Management Department for the dump station and septic holding tank and shall be maintained in a sanitary manner at all times. The applicant shall submit annual reports to the Environmental Management Department.
- ~~14. If the project construction will involve grading and excavation operations, which will result in a temporary negative impact on air quality with regard to the release of particulate matter (PM₁₀) in the form of dust. In addition, District Rule # 223 addresses the regulation and mitigation measures for fugitive dust emissions. Rule 223 shall be adhered to during the construction process. In addition, a Fugitive Dust Prevention and Control Plan and Contingent Asbestos Hazard Dust Mitigation Plan shall be submitted to and approved by the District prior to beginning project construction.~~
- ~~15. Project construction may involve road development and should adhere to District Rule 224 Cutback and Emulsified Asphalt Paving Materials and the county ordinance concerning asbestos dust.~~
- ~~16. Burning of wastes that result from "Land Development Clearing" must be permitted through the District. Only vegetative waste materials may be disposed of using an open outdoor fire.~~
- ~~17. The project construction will involve the application of architectural coating, which shall adhere to District Rule 215 Architectural Coatings.~~
- ~~18. The District's goal is to strive to achieve and maintain ambient air quality standards established by the U.S. Environmental Protection Agency and the California Air Resources Board and to minimize public exposure to toxic or hazardous air pollutants and air pollutants that create unpleasant odors. The following are measures used to reduce impacts on air quality from equipment exhaust emissions:~~

- a. ~~Use low emission on-site mobile construction equipment.~~
 - b. ~~Maintain equipment in tune per manufacturer specifications.~~
 - c. ~~Retard diesel engine injection timing by two to four degrees.~~
 - d. ~~Use electricity from power poles rather than temporary gasoline or diesel generators.~~
 - e. ~~Use reformulated low emission diesel fuel.~~
 - f. ~~Use catalytic converters on gasoline-powered equipment.~~
 - g. ~~Substitute electric and gasoline-powered equipment for diesel-powered equipment where feasible.~~
 - h. ~~Do not leave inactive construction equipment idling for prolonged periods (i.e., more than two minutes).~~
 - i. ~~Schedule construction activities and material hauls that affect traffic flow to off-peak hours.~~
 - j. ~~Configure construction parking to minimize traffic interference.~~
 - k. ~~Develop a construction traffic management plan that includes, but is not limited to: Providing temporary traffic control during all phases of construction activities to improve traffic flow; Rerouting construction trucks off congested streets; and provide dedicated turn lanes for movement of construction trucks and equipment on and off-site.~~
19. ~~Prior to construction/installation of any new point source emissions units or non-permitted emission units (i.e., gasoline dispensing facility, boilers, internal combustion engines, etc.); authority to construct applications shall be submitted to the District. Submittal of applications shall include facility diagram(s), equipment specifications and emission factors.~~

Department of Transportation

20. ~~The applicant shall submit a site improvement/grading plan prepared by a professional civil engineer to the Department for review and approval. The plan shall be in conformance with the County of El Dorado Design and Improvement Standards Manual, the Grading, Erosion and Sediment Control Ordinance, the Drainage Manual, the Off Street Parking and Loading Ordinance, and the State of California Handicapped Accessibility Standards. A commercial grading permit is required.~~
21. ~~The applicant shall be subject to a grading permit fee commensurate with the scope of the proposed project prior to commencement of any work performed.~~
22. ~~The applicant shall be subject to the County traffic impact mitigation fee programs. Said fee shall be due upon the issuance of a grading permit from the Department of Transportation. The amount of fee shall be that in effect at the time of grading permit application.~~

ATTACHMENT 2

FINDINGS FOR APPROVAL

Special Use Permit Revision S04-0006-R-2/Placerville Elks Lodge Planning Commission/September 26, 2013

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 pursuant to Section 66472.1 of the California Government Code:

1.0 CEQA FINDINGS

- 1.1 The project has been found to be Categorical Exempt from CEQA pursuant to Section 15301 of the CEQA Guidelines. The project is consistent with Section 15301 because the site is an existing commercial facility and the project proposes no expansion of structures that would have human occupancy and the uses proposed are an extension of previously approved uses that would constitute a negligible expansion.
- 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 ADMINISTRATIVE FINDINGS FOR A SPECIAL USE PERMIT

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

The proposed project has been analyzed for consistency with General Plan Policies 5.3.1.1 (Public Sewer Requirement), 6.5.1.6 and 6.5.1.7 (Non-transportation noise sources) as the RV dump station has been connected to a public sewer system and conditions limiting outside uses have been included. The proposed project, as conditioned, is consistent with these policies and consistent with the General Plan Land Use Designation of Commercial which allows campgrounds and outside commercial uses with a special use permit.

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

The expansion of the Placerville Elks Lodge to add an outdoor activity area and storage containers will not be detrimental to the public health, safety and welfare, nor injurious to the neighborhood, based on the conclusions contained in the staff report because outside uses will have limited hours, no amplified music is allowed outside of the Lodge, and the storage containers will be shielded by vegetation from the neighboring parcels.

2.3 **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 General Commercial zone district pursuant to 17.32.190.I of the El Dorado County Code.

2.4 The use is consistent with the development standards for the General Commercial Zone district as set forth in Section 17.32.200.