

**EL DORADO COUNTY DEVELOPMENT SERVICES
ZONING ADMINISTRATOR
STAFF REPORT**



Agenda of: April 4, 2007
Item No.: 6.b.
Staff: Michael C. Baron

SPECIAL USE PERMIT

FILE NUMBER: S06-0019

APPLICANT: Wayne and Jean Varozza

REQUEST: Special Use Permit to allow agricultural employee housing for up to six (6) residents.

LOCATION: On the east side of South Shingle Road, approximately 0.25 mile south of the intersection with Brandon Road in the Latrobe area, Supervisorial District II. (Exhibit A)

APN: 087-021-39

ACREAGE: 80 acres

GENERAL PLAN: Agricultural Lands (AL) (Exhibit B)

ZONING: Exclusive Agricultural (AE) (Exhibit C)

ENVIRONMENTAL DOCUMENT: Categorically Exempt from CEQA pursuant to Section 15301

SUMMARY RECOMMENDATION: Conditional approval

BACKGROUND: The current cattle ranch has been in existence since the early 1900's and was started by the Verozza family who are still the current property owners. The proposed agricultural housing will be in an existing 1,497 square foot single-family dwelling that has been the primary dwelling on the property since it was built in 1915. A new primary residence has been proposed (Permit 175349), which is contingent upon approval of the special use permit.

STAFF ANALYSIS

Project Description: A request to use an existing 1,497 square foot single-family dwelling as agriculture employee housing for up to six (6) people.

Site Description: The property is located at an approximate elevation of 600 feet above sea level with gently rolling hills and sporadic oak woodland. The parcel is 80 acres and is used as a cattle ranch. Improvements include a single-family dwelling, garage, agricultural barn, corrals, well, fencing, septic system and sheds.

Adjacent Land Uses:

	Zoning	General Plan	Land Use/Improvements
Site	AE	AL	Existing Ranch
North	AE	RR	Single-family Dwelling/Vacant
South	RA-40	RR	Single-family Dwelling
East	AE	AL	Single-family Dwelling/Vacant
West	AE	AL	Vacant

General Plan: The General Plan designates the subject site as Agricultural Lands (AL). *Policy 2.2.5.2* states that all applications for discretionary projects or permits shall be reviewed to determine consistency with the policies of the General Plan. Review of General Plan Policies and a subsequent determination made by the Agricultural Commission show that the proposed agricultural housing is consistent with Objective 8.2.3: Farm-Related Housing. The proposed use also meets the intent of the General Plan because it supports agricultural operations within those lands designated Agricultural Lands (AL) by allowing employee housing.

Zoning: The proposed use is permitted by special use permit in the Exclusive Agricultural Zone District, pursuant to Section 17.36.080(H). In order to approve the use, the approving authority must find that the use is 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, as discussed below, staff finds that the project would not be detrimental to the public health, safety and welfare and not injurious to the neighborhood.

Agency and Public Comments:

The Department of Transportation expressed concerns over the existing encroachments onto South Shingle Road and has provided conditions for approval to address the issues. The project has been conditioned to change the current encroachments to another location on the property to ensure appropriate line of site for an encroachment onto a County maintained roadway.

This special use permit request was referred to the El Dorado County Agricultural Commission for review. On December 13, 2006 the Agricultural Commission unanimously voted to approve the proposed request for agricultural employee housing.

At the time of the preparation of this report, staff had not received any comments from the public. New issues may arise as a result of the public notice of the hearing which will be discussed at that time.

ENVIRONMENTAL REVIEW

This project has been found to be Categorically Exempt from the requirements of CEQA pursuant to *Section 15301* of the *CEQA Guidelines* stating that the proposed activity will involve negligible or no expansion of the use existing at the time the exemption is granted. Pursuant to Resolution No. 240-93, a \$50.⁰⁰ processing fee is required by the County Recorder to file the Notice of Exemption.

RECOMMENDATION

1. Certify that the project is Categorically Exempt from CEQA pursuant to *Section 15301* of the *CEQA Guidelines*; and
2. Approve the Special Use Permit (S06-0019) subject to the Conditions in Attachment 1, based on the Findings in Attachment 2.

SUPPORT INFORMATION

Attachments to Staff Report:

Attachment 1	Conditions of Approval
Attachment 2	Findings
Exhibit A	Vicinity Map
Exhibit B	General Plan Land Use Map
Exhibit C	Zoning Map
Exhibit D	Site Plan

ATTACHMENT 1

CONDITIONS OF APPROVAL

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CONDITIONS OF APPROVAL

El Dorado County Planning Services

1. This ~~tentative parcel map~~ special use permit approval is based upon and limited to compliance with the project description, dated November 19, 2006, and Conditions of Approval set forth below. Any deviations from the project description, exhibits or conditions must be reviewed and approved by the County for conformity with this approval. Deviations may require approved changes to the permit and/or further environmental review. Deviations without the above described approval will constitute a violation of permit approval.

The project, as approved, consists of the following:

Conversion of an existing 1,497 square foot residence to be used as agricultural employee housing for up to six (6) employees.

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 (such as Landscape and Tree Protection Plans) must be submitted for review and approval and shall be implemented as approved by the County.

2. The applicant shall record a Notice of Restriction stating that the use of the existing structure is limited to agriculture employee housing. If the agriculture employee housing use ceases for more than one (1) year, the agriculture employee house shall be demolished unless appropriate plans are submitted to the County to reduce the house to no more than 1,200 square feet of living area.
3. Prior to the issuance of a building permit, all Planning Services fees shall be paid.

4. This permit shall be reviewed by Planning staff every five (5) years to ensure compliance. At every five (5) year interval, the property owner shall provide Planning staff with a status report of the current use of the existing house as agriculture employee housing.

El Dorado County Department of Transportation

5. The applicant shall construct a paved encroachment in conformance with County Standard Plan 103C onto South Shingle Road, relocating the existing central encroachment opposite the encroachment for Assessor's Parcel Number 087-021-57, prior to obtaining occupancy for any new residential structure.
6. The applicant shall remove and block off the two (2) northern most encroachments to the satisfaction of the Department of Transportation, prior to obtaining occupancy for any new residential structure.
7. The applicant shall obtain an encroachment permit from the Department of Transportation, prior to performing any work for the aforementioned Conditions.
8. The applicant shall irrevocably offer to dedicate (IOD), in fee, an on-site 30-foot wide roadway easement along the entire frontage of South Shingle Road. All necessary documentation will be processed by the Department of Transportation. This offer will be accepted by the County, prior to issuance of the special use permit.

ATTACHMENT 2

FINDINGS

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1.0 CEQA Finding

- 1.1 This project has been found to be Categorically Exempt from the requirements of CEQA pursuant to *Section 15301* of the *CEQA Guidelines* stating that the proposed activity will involve negligible or no expansion of the use existing at the time the exemption is granted. For this project, no improvements to the structure have been proposed.

2.0 Special Use Permit Findings

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

This project meets the intent of the General Plan because the agricultural employee housing facilitates efficient agricultural operations and is needed for cattle production and related uses on the site.

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

With the specific conditions placed on the project, as recommended by the Department of Transportation, the proposed special use permit would not be detrimental to the public health, safety and welfare. Furthermore, the additional people residing within the existing single-family dwelling will not be detrimental to the neighborhood as the nearest residence is several hundred feet away.

- 2.3 *The proposed use is specifically permitted by special use permit pursuant to this Title.*

The proposed agricultural housing is located within the Exclusive Agriculture (AE) Zone District, which allows agricultural employee housing through the issuance of a special use permit pursuant to *Section 17.36.080(H)* of the *El Dorado County Zoning Ordinance*.