

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



Agenda of: July 18, 2007
Item No.: 5.b.
Staff: Thomas A. Lloyd

SPECIAL USE PERMIT REVISION

FILE NUMBER: S86-0033R / Black Oak Animal Hospital

APPLICANT: Ray Griffiths

REQUEST: Revision to existing special use permit to allow the expansion of an animal medical facility. Proposed expansion would consist of 592 square feet of clinic area, 392 square feet of storage below the clinic area, and 220 square feet of porches and decks, for a total of 3,892 square feet. Signage will not be altered from existing (i.e., one hanging sign and one informational sign at the entrance). Parking will be increased to not less than sixteen (16) spaces, including one (1) designated and designed for handicapped access.

LOCATION: On the east side of Marshall Road, approximately 300 feet south of the intersection with Lower Main Street in the Georgetown area, Supervisorial District IV.

APN: 061-190-28 and 061-191-29

ACREAGE: Approximately 2.0 acres

GENERAL PLAN: Commercial (C) (Exhibit B)

ZONING: General Commercial (CG) (Exhibit C)

ENVIRONMENTAL DOCUMENT: Categorically exempt pursuant to Section 15301(e) of the CEQA Guidelines

SUMMARY RECOMMENDATION: Conditional Approval

STAFF ANALYSIS: Staff has reviewed the project for compliance with County regulations and requirements. An analysis of the permit request and issues for Zoning Administrator consideration are provided in the following sections.

Background: On October 8, 1986, the Zoning Administrator conditionally approved Special Use Permit S86-0033, as well as its accompanying negative declaration, to allow the conversion of a single-family residence into a veterinary hospital. Since that time, the Black Oak Animal Hospital has operated in the same location, under that permit and its conditions. A condition of the original permit required the use to conform to the approved site plan. As the proposed expansion would be inconsistent with the original plan, this revision is necessary.

Site Description: The eastern half of the parcel, which contains the existing structure and the proposed addition, is relatively flat, with slopes less than ten percent (10%). The parcel then begins a downward slope to the northwest; an area which contains a wet meadow area vegetated by blackberries, willows, and cottonwoods. This wet meadow area contains no current or proposed improvements. The site currently has fourteen (14) off-street paved parking spaces, one of which is designated as handicap accessible. The existing building, originally constructed in the late 1950's as a single-family residence, currently meets ADA requirements for handicap-accessible ramps and travel paths. The proposed addition will not affect accessibility.

Adjacent Land Uses:

	Zoning	General Plan	Land Use/Improvements
Site	CG	C	Commercial / Animal hospital
North	C	C	Single-family residence
South	CP	C	Single-family residence
East	CG	C	Single-family residence
West	R1A	MFR	Single-family residence

General Plan: The General Plan designates the subject site as Commercial (C). The purpose of this land use category is to provide a full range of commercial, retail, office, and service uses to serve the residents, businesses, and visitors of El Dorado County. The project has been reviewed in accordance with the El Dorado County 2004 General Plan policies, and has been found consistent with all applicable policies. These policies include: *Policy 2.2.5.21* which requires development projects to be designed and located in a manner that avoids incompatibility with adjoining land uses, *Policy 10.1.7.2* which directs the County to assist small businesses, as well as *Goal 2.4* which seeks to maintain existing community identity. Findings of consistency with the General Plan, as per *Policy 2.2.5.2*, are provided in Attachment 2.

Conclusion: As discussed above, staff finds that the project, as proposed/conditioned, conforms to the General Plan.

Zoning: The proposed use is permitted in the General Commercial (CG) Zone District, pursuant to *Section 17.32.190(C)*, only after obtaining a special use permit. As the project is being altered from the description contained in the original special use permit (S86-0033), this revision is necessary. *Section 17.18.060(29)* prescribes a minimum off-street parking schedule for an animal hospital, and requires one (1) space per 250 feet of gross floor area. As proposed, the

project will contain approximately 3,892 square feet of floor space, which nets sixteen (16) required parking spaces. This is consistent with the number of spaces shown on the Plot Plan (Exhibit E). The project, both existing and as designed, meets all development standards for the district including, but not limited to: building size and height, lot size, parking, and signage. As this site has been operating as a veterinary hospital for approximately twenty years, no further impact on the community is expected.

Fire Protection: During the distribution period, The Georgetown Fire Protection District reviewed the project proposal for compliance with fire safe regulations. The District commented that the project currently meets all regulations, and that the proposed addition will not trigger any new standards for compliance. Therefore, no further mitigation measures are required.

Signage/Landscaping/Lighting: There is no additional signage proposed for the facility. As a condition of the original permit, a landscaped buffer was required. This landscaping serves to shield the facility and its associated parking area from Marshall Grade Road. Continued maintenance of this landscaping will be required (Exhibit F). There are no proposed changes to the exterior lighting.

ENVIRONMENTAL REVIEW

This project has been found to be Categorical Exempt from the requirements of CEQA pursuant to Section 15301(e) which excludes additions to existing structures provided that the addition will not result in an increase of more than 50 percent of the floor area of the structures before the addition, or 2,500 square feet, whichever is less.

As the existing structure is 2,688 square feet and the proposed addition is 1,204 square feet, or 44.8 percent of the floor area of the structure before the addition, this project conforms to the above conditions.

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 Categorical Exempt from CEQA pursuant to Section 15301(e) of the CEQA Guidelines; and
2. Approve the revision to special use permit S86-0033R 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	Elevations
Exhibit E	Plot Plan
Exhibit F	Photo Exhibits
Exhibit G	Assessor's Parcel Map

ATTACHMENT 1

CONDITIONS OF APPROVAL

File Number S 86-0033R – Black Oak Animal Hospital Medical Fac
July 18, 2007 Zoning Administrator Hearing

El Dorado County Planning Services

1. ~~The use shall conform to the approved site plan.~~
1. This special use permit is based upon and limited to compliance with the project description, the Zoning Administrator hearing exhibits marked Exhibits D, E, and F, dated March 30, 2007, and conditions of approval set forth below. Any deviations from the project description, exhibits or conditions must be reviewed and approved by the County for conformity with this approval. Deviations may require approved changes to the permit and/or further environmental review. Deviations without the above described approval will constitute a violation of permit approval.

The project description is as follows:

Revision to existing special use permit to allow the expansion of an animal medical facility. Proposed expansion would consist of 592 square feet of clinic area, 392 square feet of storage below the clinic area, and 220 square feet of porches and decks, for a total of 3,892 square feet. Existing signage consists of; one 30” x 48” sign hanging from the eave of the building and one 48” x 30” free-standing sign at the entrance. Parking will be increased to not less than sixteen (16) spaces, including one (1) designated and designed for handicapped access.

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 driveway and parking area shall be surfaced with a minimum of two inches of asphaltic concrete over four inches of aggregate base.~~
2. 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 the County harmless from any legal fees or costs the County may incur as a result of such action, as provided in Section 66474.9(b) of the California Government Code.

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, which action is brought within the time period provided for in Section 66499.37. The County shall notify the applicant of any claim, action, or proceeding, and the County will cooperate fully in the defense.

3. The parking spaces and turning area shall conform to the dimensions established in Section 17.18.020 of the County Code.
4. Landscaping shall be ~~provided and~~ maintained along Marshall Grade Road and along the ~~southerly~~ southern property boundary to screen views of the parking lot. Landscaping shall not obstruct necessary sight distance at the drive way along Marshall Grade Road.
5. The applicant shall secure the appropriate permits from the Building and Environmental Health Divisions.
6. Any sign proposed for the veterinary facility shall conform to the County Sign Ordinance, Chapter 17.16 of the County Code.
- ~~7. The construction shall commence and be diligently pursued within one (1) year from the approval of this Special Use Permit or the Permit shall be declared null and void.~~
7. Pursuant to County Code *Section 17.22.260*, implementation of the project (i.e., obtaining building permit) must occur within twenty-four (24) months of approval of this revised 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 the conditions of approval.
8. The conditions imposed run with the use of the land and the conditions are binding on each owner.
9. Prior to issuance of any permits, the applicant shall pay all Development Service Fees.

Georgetown Divide Public Utility District:

10. Prior to the initiation of the expanded use, the applicant shall install an approved backflow prevention assembly at the metered service connection and provide evidence of such to the Georgetown Divide Public Utility District (GDPUD).

El Dorado County Air Quality Management District:

11. 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. Current county records indicate this property is not located within the Asbestos Review Area. District Rules 223 and 223.1, which address the regulations and mitigation measures for fugitive dust emissions shall be adhered to during the construction process. In addition, a Fugitive Dust Plan (FDP) Application with appropriate fees shall be submitted to and approved by the District prior to start of project construction. .Project construction may involve road development and should adhere to District Rule 224 Cutback and Emulsified Asphalt Paving Materials.
12. Burning of wastes that result from "Land Development Clearing" shall be permitted through AQMD. Only vegetative waste materials may be disposed of using an open outdoor fire (Rule 300 Open Burning).
13. The application of architectural coating shall adhere to District Rule 215, *Architectural Coatings*.

El Dorado County Department of Transportation:

14. The applicant shall repair the existing driveway approach to the county of El Dorado Design and Improvements Standards Manual Standard Plan 103C prior to issuance of a certificate of occupancy for the addition.

ATTACHMENT 2 FINDINGS

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Based on the review 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:

FINDINGS FOR APPROVAL

1.0 CEQA FINDING

- 1.1 This project has been found to be Categorically Exempt from the requirements of CEQA pursuant to Section 15301(e) of the CEQA Guidelines. This exemption applies to additions to existing structures provided that the addition will not result in an increase of more than 50 percent of the floor area of the structures before the addition, or 2,500 square feet, whichever is less.
- 1.2 The documents and other materials which constitute the record of proceedings upon which the decision is based are in the custody of the Development Services Department-Planning Services at 2850 Fairlane Court, Placerville, CA 95567.

2.0 GENERAL PLAN FINDINGS

- 2.1 The proposed use is consistent with applicable policies in the 2004 El Dorado County General Plan, as discussed in the General Plan section of this staff report. This project meets the intent of the General Plan through the application of Policy **2.2.5.21** which requires development projects to be designed and located in a manner that avoids incompatibility with adjoining land uses, **Policy 10.1.7.2** which directs the County to assist small businesses, as well as **Goal 2.4** which seeks to maintain existing community identity.

3.0 SPECIAL USE PERMIT FINDINGS

- 3.1 *The issuance of the permit is consistent with the General Plan;*

As outlined in 2.1 above, the issuance of the permit is consistent with the General Plan.

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

The proposed addition to the existing animal hospital meets all development standards for the district including, but not limited to: building size and height,

lot size, parking, and signage. This site has been operating as a veterinary hospital for approximately twenty years and has not resulted in health or safety concerns, nor has it adversely impacted the neighborhood. Existing landscaping adequately buffers the view from Marshall Grade Road to the building and parking areas.

- 3.3 *The proposed use is specifically permitted by special use permit pursuant to Title 17.*

The existing and proposed use as an animal hospital is specifically allowed in the General Commercial (CG) Zone District, after issuance of a Special Use Permit pursuant to **Section 17.32.190(C)** of the *El Dorado County Zoning Ordinance*.