

Agenda of: January 12, 2006

Item No.: 8.b.

Staff: Tom Dougherty

STAFF REPORT - SPECIAL USE PERMIT

FILE NUMBER: S88-0026R2

APPLICANT: The Church of Jesus Christ of Latter-day Saints

AGENT: Patrick Elmer

REQUEST: Request to revise S88-0025 to allow two 400 square-foot additions to the existing meetinghouse and add 42 new parking spaces to the parking area.

LOCATION: The project site is located on the north side of Green Valley Road, 100 feet east of the intersection with Loch Way, in the El Dorado Hills area. (Exhibit A).

APN: 067-270-32

ACREAGE: 11.068 acres

GENERAL PLAN: Medium Density Residential (MDR) (Exhibit B)

ZONING: One-acre Residential (R1A) (Exhibit C)

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

SUMMARY RECOMMENDATION: Conditional Approval

BACKGROUND: Special Use Permit S88-0026 was approved by the Planning Commission on July 28, 1988, for the construction of a 14,760 square foot structure including a meetinghouse with a chapel, cultural center, multi-purpose rooms, and a 63-foot tall tower for the Church of Jesus Christ of the Latter Day Saints. Condition 14 from this permit allows minor modifications to be approved by the Planning Director. This proposed revision was determined by Planning staff to be major modifications, subject to Planning Commission approval.

Special Use Permit S88-0026R1 was a request to replace a ground mounted steeple with a roof mounted steeple for a total height of 68 feet 8.25 inches. The request was heard by the Zoning Administrator on April 20, 2005. Because of protests from neighbors about the height, the request was forwarded to the Planning Commission. On August 11, 2005, the Planning Commission approved the tower, but at a reduced height to 50 feet from ground level. On August 23, 2005 the applicant formally withdrew that application.

STAFF ANALYSIS

Project Description: The proposal includes the addition of two 400-square foot additions, one to the northeast corner and the other on the southwest corner of the existing meetinghouse building. The proposed uses of the new additions are children’s and Relief Society meeting rooms. The exterior of the additions are proposed to be finished with brick veneer with brick accent bands and the roofing is proposed to be concrete tiles, all to match the existing building. All concrete flatwork is proposed to be broom-finished. Also proposed is an expansion of the existing unofficial, lightly graveled overflow parking area located in the southwest portion of the parcel to include the grading, blacktopping, and landscaping for 42 new parking spaces. Two non-native 6 to 8 inch diameter alder trees will be removed from the existing landscaping near the southwest corner of the meetinghouse to make room for the addition. The applicant states average attendance in the area served by this facility is 180 to 256 active members, (256 is the maximum capacity). The proposed additional parking is intended to be used by the two wards whose members both use the facility and sometimes overlap their usage for the non-fixed seating areas outside of the main assembly room.

Site Description: The project site is located on Green Valley Road east of Loch Way in El Dorado Hills. The parcel is flat to gently sloped (0 to 15 percent slope). Predominant vegetation includes annual grasses with existing landscape including predominately non-native sycamore and Italian alder trees with existing mature native blue oaks (*Quercus douglasii*) outside the parking lot. The existing overflow parking lot is informal, lightly graveled and unstriped, and was not recognized by the original special use permit.

Adjacent Land Uses: Single-family residential lots and uses surround the site on all sides. The surrounding tree cover and vacant land on all sides and Green Valley Road isolate the church from the views from the residences surrounding the site, and the only clear, completely unobstructed view of the church is from Green Valley Road.

	Zoning	General Plan	Land Use/Improvements
Site	R1A	MDR	Church and parking lot
North	R1A	MDR west half; HDR east half	Single-family residential lots
South	R1A	MDR	Single-family residential lots
East	R1A	HDR	Single-family residential lots
West	R1A	MDR	Single-family residential lots

General Plan: The General Plan designates the subject site as Medium Density Residential. This land use designation establishes areas suitable for detached single-family residences with larger lot sizes which will enable limited agricultural land activities.

Policy 2.2.5.9 allows institutional uses including churches by issuance of a special use permit.

Policy 2.8.1.1: *Development shall limit excess nighttime light and glare from parking area lighting, signage, and buildings. Consideration will be given to design features, namely directional shielding for street lighting, parking lot lighting, sport field lighting, and other significant light sources, that could reduce effects from nighttime lighting. In addition, consideration will be given to the use of automatic shutoffs or motion sensors for lighting features in rural areas to further reduce excess nighttime light.*

Policy 7.3.5.1: *Drought-tolerant plant species, where feasible, shall be used for landscaping of commercial development. Where the use of drought-tolerant native plant species is feasible, they should be used instead of non-native plant species.*

Policy 7.4.4.2: *Through the review of discretionary projects, the County, consistent with any limitations imposed by State law, shall encourage the protection, planting, restoration, and regeneration of native trees in new developments and within existing communities.*

Policy 2.2.1.5: *The General Plan shall provide for the following building intensities in each land use designation as shown in Table 2-3:*

TABLE 2-3		
BUILDING INTENSITIES		
Land Use Designation	Floor Area Ratio	Max. Impervious Surface (%)
Medium-Density Residential		60

Discussion: The maximum impervious surface is measured at 25.11 percent. This building intensity complies with General Plan policy standards. All outdoor lighting will be conditioned to 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. Planning Services recommends that due to the residential nature of the surrounding neighborhood, that the pole lights be shielded on the side of the light that shines to the outside of the proposed parking lot on all sides. The final revised Landscape Plan will be required to meet the 50 percent requirement for native plants.

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

Zoning: Pursuant to Section 17.28.070 (A) of the El Dorado County Zoning Ordinance, the proposed use of the building as a place of worship is permitted in the R1A Zone District after a special use permit is obtained.

Section 17.18.060 (45) requires churches to have 1 parking space per 4 seats within the main auditorium.

Discussion: The applicant states the main assembly seating capacity is 256 occupants, and the range of potential church visitors was described during the original Planning Commission meeting for this special use permit to be *between 200 to 300 people at one session*, (Minutes of Planning Commission Committee meeting, July 28, 1988 [included as Exhibit F]). That means 64 spaces were required for that use. There are currently 176 spaces of which 6 are designated for handicapped parking. The area described as overflow parking was not recognized as such on earlier permits and was not counted in the total. Two Wards use the facility, and at times their uses overlap. The project is proposing 42 more spaces within that area. That makes the total proposed parking for the whole project parcel to be 218, (176 + 42 = 218).

California Building Code requires 7 designated handicapped parking space for between 201 to 300 conventional spaces (Table 11-B6), and one in every 8 of those needs to be designated as van accessible, Section 1129B.4(2). That means the whole project site needs 7 total handicapped designated spaces, and at least one needs to be van accessible and specifically designated as such. The conditions of approval will address these requirements.

Conclusion: 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, citizens' groups, and impacted neighbors, as discussed below, staff finds that the project will not be detrimental to the public health, safety and welfare and will not be injurious to the neighborhood.

Agency and Public Comments: The following agency commented on this application. A copy of their written comment is available at the Planning Services office. From their comments, the following issue was raised:

El Dorado County Environmental Management Department: The District responded with issues concerned with the sewer and septic system that need to be addressed during the course of carrying out this project. These issues are listed in Conditions 16 and 17.

El Dorado Hills Fire Department: The Department has reviewed the proposed project and has required that it conform to all requirements set forth in the California Building and Fire Code for this assembly type occupancy. This requirement has been incorporated in Attachment 1, Condition 5.

The following agencies were solicited for comments and either did not respond with concerns or responded they had no recommended conditions of approval:

El Dorado County Department of Transportation
El Dorado County Pioneer Cemeteries
El Dorado County Environmental Management-Solid Waste and Hazardous Materials Division
Air Quality Management District
El Dorado Hills Community Service District
El Dorado Hills Design Review Committee

Copies of the responding agency's written comments are available at the Planning Services office. At the time of the preparation of this report, staff had not received any comments from the public.

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 Categorical Exempt from the requirements of CEQA pursuant to Section 15301 (e) of the CEQA Guidelines which states that minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination lead to the determination that the project is exempt from CEQA review. *The key consideration is whether the project involves negligible or no expansion of an existing use and that 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.* Pursuant to Resolution No. 240-93, a \$35.⁰⁰ processing fee is required by the County Recorder to file the Notice of Exemption.

RECOMMENDATION

Staff recommends that the Planning Commission take the following actions:

1. Find that the project is Categorical Exempt from CEQA pursuant to Section 15301 (e) of the State CEQA guidelines; and
2. Approve Special Use Permit S88-0026R2 based on the findings in Attachment 2, subject to the Conditions in Attachment 1.

SUPPORT INFORMATION

Attachments to Staff Report:

Attachment 1	Conditions of Approval
Attachment 2	Findings
Exhibit A	Vicinity/Assessor/Parcel Maps
Exhibit B	General Plan Land Use Map
Exhibit C	Zoning Map
Exhibit D	Site Plan and Elevations
Exhibit E	Applicants Statements of Project Description and Proposed Building Use
Exhibit F	Original S 88-0026 Conditions of Approval and Planning Commission Meeting Minutes
Exhibit G	Site Visit Photos

ATTACHMENT 1
REVISED CONDITIONS OF APPROVAL

FILE NUMBER S88-0026R2

Planning Division:

1. This special use permit approval is based upon and limited to compliance with the approved project description 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, includes the addition of two 400-square foot additions, one to the northeast corner and the other on the southwest corner of the existing meetinghouse building. The exterior of the additions are to be finished with brick veneer with brick accent bands and the roofing is to be concrete tiles, all to match the existing building. All concrete flatwork is to be broom-finished. There will be an expansion of the existing lightly graveled overflow parking area located in the southwest portion of the parcel to include the grading, blacktopping, and landscaping for 42 new parking spaces. Two non-native 6 to 8 inch diameter alder trees will be removed from the existing landscaping at the southwest corner of the meetinghouse. The maximum capacity for the main assembly room is 256 occupants. The additional parking is intended to be used for the non-fixed seating areas during the periods of time when the attendance of the two member Wards overlap.

2. All site improvements, sign locations, paints, and materials shall comply with the approved site plan. The approved site plan shall consist of Exhibit D, attached. Changes not to exceed 10 percent of the square footage of buildings, minor location changes, and architectural feature changes may be approved by the Deputy Director of Planning or designee. Major changes in building sizes or features will require an amendment to the approved special use permit.
3. The project shall comply with the requirements of El Dorado County Zoning Ordinance Sections 17.28.050-080, (One-Acre Residential).
- ~~1.~~ Obtain a building permit from the County Building Division for the proposed structure.
- ~~2.~~ 4. Obtain approval of the proposed septic system from the County Environmental Health Division.
- ~~3.~~ 5. Comply with all requirements of the El Dorado Hills Fire Department. The project shall conform to all requirements set forth in the California Building and Fire Code for this assembly type occupancy.
4. 6. Submit a grading and drainage plan to the County Department of Transportation.
- ~~5.~~ 7. Construct the access connection to Green Valley Road to County Standards.

- ~~6.~~ 8. Pay the El Dorado Hills/Salmon Falls Area Plan Road mitigation Fee of \$168.67 per daily trips generated based on the ratio of 10.7 trips per 1,000 square feet of building area.
- ~~7.~~ 9. Provide an irrevocable offer of dedication a 60-foot right-of-way on Green Valley Road as measured from the existing centerline in a form acceptable to the County.
- ~~8.~~ 10. Submit a final landscape plan. The final landscape plan is required to meet Zoning Code Chapter 17.18.090 and General Plan Policy 7.3.5.1, 7.3.5.2 and 7.4.4.4 and be approved by Planning Director before a final building permit can be issued. Applicant shall install and maintain landscaping in accordance with the approved final landscaping plan in perpetuity or unless otherwise modified through any future permit.

The use authorized by this permit shall conform to the following conditions at all times:

- ~~9.~~ The location of structures and uses shall conform to the approved site plan.
- ~~10.~~ The pre-cast concrete tower shall not exceed 50 feet in height.
11. The monument sign shall be located outside of the proposed Green Valley Road right-of-way.
12. The temporary construction sign must be removed prior to final occupancy.
13. All exterior lighting shall be designed and located to prevent glare onto adjacent properties. 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. The three pole lights on the western edge of the parking lot with the new 42 spaces shall have an extra shield installed on the light head box just below the main box portion on the west side that shields all light from shining outside the western perimeter of the parking area. 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.
- ~~14.~~ Minor modifications may be approved by the Planning Director.
- ~~15.~~ 14. The use shall commence and be diligently pursued within one year from the approval of this special use permit or the permit shall be declared null and void.
15. Pursuant to Resolution No. 240-93, a \$35.⁰⁰ processing fee is required by the County Recorder to file the Notice of Exemption
16. The applicant shall clearly identify at all building sites the location of the building sewer pipe prior to construction of the addition or the removal of any tree so all workers will not disturb the sewer pipe.
17. Temporary fencing or ropes shall be required around the septic system disposal field during construction to prevent driving over the top of it.
18. The project shall have seven designated handicapped spaces, and one shall be van accessible.

ATTACHMENT 2 **FINDINGS**

FILE NUMBER S88-0026R2

1. The project has been found to be Categorical Exempt from CEQA pursuant to Section 15301 (e) which states that minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination lead to the determination that the project is exempt from CEQA review. *The key consideration is whether the project involves negligible or no expansion of an existing use and that 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.*

2. The proposed use is consistent with the policies in the 2004 El Dorado County General Plan as discussed in the General Plan section of this staff report.

Institutional uses, including churches, are permitted in residential areas by issuance of a special use permit pursuant to Policy 2.2.5.9.

3. The proposed use is a permitted use in the One-Acre Residential Zone District upon issuance of a special use permit pursuant to Section 17.28.070G of the County Code.

4. The use is found to comply with the requirements of Chapter 17.22, Special Use Permits, and the proposed use is not considered detrimental to the public health, safety, and welfare, or injurious to the neighborhood, based on the conclusions contained in the staff report and from the comments received from other agencies.

The proposed expansion is consistent with the uses previously approved for the parcel by the Planning Commission for DR88-0026 on July 28, 1988.