

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



Agenda of: July 12, 2007
Item No.: 14.
Staff: Jason Ramos

SPECIAL USE PERMIT

FILE NUMBER: S06-0023/DR06-0011S

APPLICANT: Ken Curtzwiler

AGENT: Mike Dill, Aspen Environmental

REQUEST: Special use permit and design review to allow a mixed use multi-family and commercial project in the Meyers Community Plan.

LOCATION: On the north side of Magua Street, at the intersection with Hopi Avenue in the West Meyers Land Use District of the Meyers Community Plan area, Supervisorial District V. (Exhibit A)

APN: 034-322-01

ACREAGE: 0.19 acres

GENERAL PLAN: Adopted Plan, Meyers Community Plan, and Tahoe Regional Planning Agency Regional Plan (Exhibit B)

ZONING: Meyers Community Plan Subarea 3 (MCP-3), West Meyers Land Use District (Exhibit C)

ENVIRONMENTAL DOCUMENT: Categorically exempt pursuant to Section 15303 (b) and (c) of the CEQA Guidelines

RECOMMENDATION: Conditional approval

BACKGROUND: The Tahoe Regional Planning Agency (TRPA) issued a permit for the project at the November 16, 2006, Hearings Officer meeting. The TRPA regulatory review for the project included a consistency analysis with all applicable provisions of the TRPA Regional Plan and the Meyers Community Plan (CP). The applicant is currently working to satisfy the conditions of approval of the issued permit, to subsequently receive TRPA acknowledgment of the permit. From the County, the project requires the requested special use permit and design review permits, an allocation of commercial floor area, and a building permit. The multi-family residential use of the project is a special use, and the commercial use is an allowed use in the Meyers Community Plan (CP). All parcels in the CP are located within a design review district; therefore, the project is subject to County design review standards. The project was also reviewed and approved by the Meyers Round Table, as the advisory group for development projects within the CP (Exhibit E). The Meyers Round Table provides advisory recommendations to El Dorado County and TRPA with regard to the review of all development projects in the CP.

As explained in the 1995 amendment of the CP (Resolution No. 92-95), the County Planning Commission was designated as the primary implementing body of the CP, with specific duties in several areas including design review, determining consistency with plan policy, and identifying the need for plan amendments. Therefore, the Planning Commission has direct authority for modification of front yard setbacks pursuant to Section 17.58.190 of County Code.

The West Meyers Land Use District (MCP-3) is the second primary commercial core in the plan area. Its land use pattern is strip commercial, and provides convenience goods and services to visitors and nearby residents. The district's land use theme is recreation and retail services.

STAFF ANALYSIS

Project Description: The project is a mixed use multi-family and commercial project. The MCP-3 Zone District requires a special use permit for any residential use. The first floor consists of two office units with 751 square feet of total commercial floor area and a residential garage area of 816 square feet. The second floor consists of two attached residential units with a total of 1,094 square feet of residential floor area. The project also includes landscaping, BMP installations, parking, and an exterior trash enclosure structure as identified on the site plans and conditioned with the permit.

The office units would consist of indoor professional office activities, with one to two employees. The professional office uses would likely occur during midweek business hours between 8:00 A.M. and 5:00 P.M., Monday through Friday. Other than parking, there are no outdoor commercial uses proposed with the project, including any type of signage.

As part of the design review application, a reduction of the front yard setback from 20 feet to 15 feet, specifically along the front property line adjacent to Hopi Avenue, is being requested for administrative relief, pursuant to Section 17.58.190 of the County Zoning Ordinance. The development standards of the Meyers CP (Section 17.58.190) identifies that the Advisory Committee of the CP has the authority to approve modifications to front yard setbacks, as part of

a design review application when such reduction supports the policies of the Meyers Community Area Plan. As discussed above, the Meyers Round Table serves as the only existing advisory group for development projects within the CP. The Meyers Round Table has reviewed and approved the overall project design, and provided a recommendation of approval to the County Planning Commission for the front yard setback reduction for the property line adjacent to Hopi Avenue (Exhibit E). The Planning Commission will serve as the discretionary entity for approval of the setback reduction and overall project approval.

Site Description: The project parcel is a vacant, level lot that has been disturbed and is devoid of natural vegetation, with a surface layer of mulch throughout much of the parcel. The vacant lots surrounding the project site have sporadic understory vegetation with a moderate overstory density of Jeffrey pine, Western juniper, and Lodgepole pine. The project site is located one block from U.S. Highway 50 and is partially visible from the highway (Exhibit G). U.S. Highway 50 is a designated State scenic highway throughout the Meyers CP. There is some existing commercial development on the south side of the project parcel, to partially limit the visibility of the proposed development from the highway. There are some mountain views from the project site.

Adjacent Land Uses:

	Zoning	General Plan	Land Use/Improvements
Site	MCP-3, Meyers Community PAS*	AP - Meyers CP, TRPA Regional Plan	Vacant lot
North	TR1, PAS 124**	AP	Single-family residence
South	MCP-3, Meyers Community PAS	AP	Vacant lot
East	MCP-2, Meyers Community PAS	AP	CA Highway Patrol Office
West	MCP-3, Meyers Community PAS	AP	Vacant lot

*Meyers Community Plan Area Statement (see General Plan section regarding Meyers CP)

**TRPA Plan Area Statement 124, Meyers/Residential

Discussion: The north property line of the project parcel serves as the boundary of the Meyers Community Plan and is surrounded by single-family residential uses to the north within TR1 zoning. The project parcel, including parcels to the south and west are located within the West Meyers Land Use District of the Meyers Community Plan.

The project parcel is adjacent to a single-family residence along the north property line, approximately five feet from the property line. To the east, a California Highway Patrol office is located along the east side of Hopi Avenue. To the west, the adjacent parcel is vacant. The southern adjacent parcels are developed with commercial uses. The developed parcels along Magua Street consist of various commercial uses as prescribed by the West Meyers Land Use District of the Meyers Community Plan (Exhibit H).

General Plan: The General Plan designates the subject site as an Adopted Plan, which refers to the Meyers Community Plan (CP). In addition, the General Plan recognizes the TRPA Regional Plan as the underlying Adopted Plan for the review of all projects within the Tahoe Basin portion of the County's jurisdiction. The County General Plan provides broad deference to the TRPA Regional Plan for the implementation of related General Plan policies and for the review of County discretionary projects. With regard to the Tahoe Basin, the primary goal of the County General Plan is to integrate the County's regulations with those of TRPA, to eliminate inconsistencies with the Regional Plan and to simplify the regulatory environment in the Tahoe Basin as articulated in Goal 2.10 and its associated policies.

Therefore, the TRPA Regional Plan and Meyers CP serve as the adopted plans for the implementation of related General Plan policies pertaining to the project, including but not limited to, regulations pertaining to commercial floor area, noise, traffic, and scenic design. As explained in the Background section, the project was found by TRPA to be consistent with all applicable provisions of the TRPA Regional Plan and Meyers CP, and a permit was issued at the November 16, 2006, TRPA Hearings Officer meeting.

Zoning: The following development standards apply to the Meyers CP:

17.58.170 Applicability: The regulations set forth in Section 17.58.180 and 17.58.190 shall apply to all Meyers Community Plan (MCP) Districts. Where applicable, the standards of Title 17 of the County Code of ordinances shall apply. Additionally, the provisions of the Tahoe Regional Planning Agency Code of Ordinances also applies to all projects within the MCP Districts. Where there is a conflict with the TRPA ordinances and this ordinance, the most restrictive standard shall apply.

The five land use districts identified in the Meyers CP serve as the zoning districts as regulated by the County. The project site is located within the West Meyers Land Use District (MCP-3). Table A of Section 17.58.180 of the County Zoning Ordinance prescribes the allowed, special uses, and prohibited uses within the five land use districts. The proposed multi-family use is a special use, and the proposed professional office use is an allowed use in the MCP-3 district. Therefore, the multi-family use is subject to the approval of a special use permit by the County.

Development Standards Consistency Analysis

Traffic and Parking: Section 17.18.060 of the County Zoning Ordinance requires a minimum of 3.2 parking spaces for the proposed multi-family use (two units) and a minimum of 3 parking spaces for the proposed professional office use. The plot plan identifies a total of 12 parking spaces, which includes one handicap parking space. Residential parking includes two standard vehicle parking spaces (not in tandem) for the residential driveway along Magua Street, and the residential garage parking area is sized to accommodate two standard vehicles and two compact vehicles. The outdoor commercial parking area has five standard vehicle parking spaces and one handicap parking space. Handicapped parking and access to the front entrance of the building has been reviewed for consistency with disabled access regulations. A paved access path is provided to the eastern front entrance of the building, with a slope of less than two percent and a width of 60 inches. It is also noted that the front entrance doors swing inward to avoid reduction of the accessible area of the path. The driveway and aisle width for the entrance along Hopi Avenue is subject to a 24-foot width for two-way access (Section 17.18.030.B.3), as identified on the site plans.

Most of the time vehicle traffic on U.S. Highway 50 and State Highway 89 and intersecting side streets flows freely during weekday periods throughout most of the year. Congested traffic conditions generally occur during weekends and weekday holidays (Meyers Community Plan, 1993).

Chapter 93 of the TRPA Code of Ordinances provides a trip table for various types of land uses, based on the Institute of Transportation Engineers Trip Generations Manual, 7th Edition (2003). Based on the trip rate table provided in Chapter 93 and the analysis contained in the TRPA staff summary for the project, the multi-family use (two units) is anticipated to generate 13.44 new daily vehicle trip ends (dvte), and the professional office use (two offices) is expected to generate 20.57 new dvte, resulting in a total of 34.01 new dvte expected for the project. Chapter 93 defines an insignificant increase in traffic as an increase of 100 or fewer daily vehicle trips, as determined from the Trip Table provided in Chapter 93, or other competent technical information. This is consistent with the implementation of the Transportation and Circulation Element policies of the 2004 County General Plan relating to traffic impacts of new development. Therefore, the project is expected to have an insignificant increase in traffic. The business hours of the proposed commercial use of the project is expected to occur during weekday business hours from 8:00 A.M. to 5:00 P.M., and the overall uses for the project are not expected to adversely affect, or be adversely affected by the traffic conditions of the project area.

Setbacks: As discussed above, the applicant is requesting a five-foot reduction to the front setback along Hopi Avenue. Staff concurs with the recommendation of the Meyers Round Table. Findings for approval of administrative relief are contained in Attachment 2.

The site plans indicate a new six-foot solid wood fence along the west side property line. The permit has been conditioned that the solid fence cannot exceed 40 inches in height within the front yard setback.

Exterior Lighting: The project includes one light post within the parking lot area, which is not identified on the site plans. Exhibit J provides a detail of the proposed light post, and demonstrates consistency with the CP free standing light standards. Section 17.14.170 of the County Zoning Ordinance requires design review and special use permit applications to include a Lighting Plan for consistency with the Outdoor Lighting Ordinance. As conditions of approval, the final site plan shall identify the location of the light post within the parking lot area. The light post shall not be located closer than 40 feet from the north side property line (adjacent single family residence, Exhibit F). A Lighting Plan shall be provided to identify the downward projected horizontal plane of the lighting for demonstration that all lighting will be retained on-site. The project has been conditioned for consistency with the applicable standards of the Meyers Community Plan and Section 17.14.170 of the County Zoning Ordinance.

Noise: Noise standards for the CP are regulated by the CP TRPA Plan Area Statement (PAS). The maximum cumulative noise equivalent level for the CP PAS is 65 CNEL. The project has been reviewed by TRPA for consistency with this noise standard, and a TRPA permit has been issued. The proposed building will also be buffered from transportation noise associated with U.S. Highway 50 by existing development along the south side of Magua Street (Exhibit I) and proposed landscaping along the south side of the property.

Signage: No signage is proposed with the project but would require a revision to the use permit if requested in the future.

CFA Allocation: The CP requires an allocation of commercial floor area (CFA) from the County, as directed in Appendix C of the CP. The County is required by the TRPA to manage a CFA allocation pool for the development of commercial projects in the CP. The MCP-3 district is identified as a Priority #1 area for additional commercial development, which allows a CFA match ratio of 75 percent allocation to 25 percent match. Essentially, the County may allocate up to 75 percent of the needed CFA, and the applicant must transfer in the remaining 25 percent of the needed CFA to the project site. Of the total 751 square feet of CFA needed for the project, the applicant is requesting an allocation of 564 square feet of CFA from the County, and the applicant will transfer in the remaining 188 square feet of CFA (Exhibit K). The transferring of the CFA will require the approval of a Transfer of Development permit from the TRPA, and the approval of the CFA allocation from the County will require Board of Supervisors approval prior to the issuance of a County Building permit.

Meyers Community Plan Design Review and Scenic Design: Appendix A of the Meyers CP prescribes minimum design requirements to qualify for additional CFA. To be eligible for consideration of an allocation of additional CFA each project must incorporate all of the site planning, architectural design improvements, and applicable sign standards listed in Section A.2(1) of Appendix A. Location of on-site parking is located on the north side of the property and substantially out of view from U.S. Highway 50. Landscape screening and fencing have also been designed to enhance the visual quality of the proposed development as viewed from U.S. Highway 50 and for compatibility with surrounding development. The project was reviewed and approved by the Meyers Round Table for consistency with CP design review guidelines (Exhibit E). Staff has also reviewed the project for consistency with the design review guidelines and finds the project design consistent with the CP.

The exterior finishes of the building were approved by the TRPA, as consistent with Chapter 30 Regional Plan scenic design standards (Exhibit L). These standards require the exterior finish of all development at the project site to consist of subdued, natural, earthtone colors that blend, rather than contrast, with the natural landscape and surroundings of the project site. The proposed building will have the following exterior finishes:

- forest green composition roof shingles;
- natural stained cedar wood panel siding material;
- forest green masonite trim material; and
- natural granite rock veneer around the footings.

The overall project design and proposed uses are consistent with the CP standards and are compatible with the surrounding urban development.

Area-Wide Improvement Program Requirements: The CP requires all projects to provide landscaping along road frontages and compliance with exterior lighting requirements. The landscaping and exterior lighting proposed for the project has been reviewed and approved by the Meyers Round Table, and the project has been conditioned for consistency with the applicable CP requirements. The CP also requires other area-wide improvements for parcels with road frontage along U.S. Highway 50, which are not applicable to the project.

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 the project, as conditioned, is not expected to be detrimental to the public health, safety, and welfare, and is not expected to be injurious to the neighborhood.

Conclusion: As discussed above, staff finds that the project is consistent with the General Plan, TRPA Regional Plan, Meyers CP, and County Zoning Ordinance.

Agency and Public Comments: The following agencies provided comments on this application:

- El Dorado County Department of Environmental Management;
- El Dorado Transit;
- El Dorado County Department of Transportation;
- Meyers Round Table.

Copies of their written comments are available at the Planning Services office. From these comments, the following issues were raised:

- The Department of Transportation has identified that the direction of the flow line within the right-of-way of Hopi Avenue, as identified on the site plans, needs to be reversed to a northerly direction.

- Pursuant to Section 17.58.190 of the County Zoning Ordinance, the Meyers Round Table is recommending the Planning Commission reduce the front yard setback for the property line adjacent to Hopi Avenue from 20 feet to 15 feet.

ENVIRONMENTAL REVIEW

This project has been found to be Categorical Exempt from the requirements of CEQA pursuant to Section 15303 (b) and (c) of the CEQA Guidelines, which pertains to the following:

- (b) A duplex or similar multi-family residential structure totaling no more than four dwelling units.
- (c) A store, motel, office, restaurant, or similar structure not involving the use of significant amounts of hazardous substances, and not exceeding 2,500 square feet in floor area.

Pursuant to Resolution No. 240-93, a \$50.⁰⁰ processing fee is required by the County Recorder to file the Notice of Exemption.

RECOMMENDATION: Planning staff recommends that the Commission take the following action:

1. Certify the project is categorically exempt pursuant to Sections 15303(b) and (c) of the CEQA Guidelines; and
2. Approve S06-0023/DR06-0015, 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
Exhibit E - .Meyers Round Table Project approval letter
Exhibit F - .Project site photo
Exhibit G - Photo of U.S. Highway 50 from project site
Exhibit H - Photo of existing commercial development along Magua Street
Exhibit I - Photo of existing development on south side of project site
Exhibit J - Exterior lighting
Exhibit K - CFA Allocation request letter
Exhibit L - Exterior Finishes of Building

ATTACHMENT 1
CONDITIONS OF APPROVAL

FILE NUMBER S06-0023/DR06-0011S
Planning Commission July 12, 2007

El Dorado County Planning Services

1. This special use permit and design review is based upon and limited to compliance with the project description, the Planning Commission hearing exhibits marked A through J, dated July 12, 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:

Special use permit and design review for a mixed use multi-family and commercial project. The first floor consists of two office units with 751 square feet of total commercial floor area and a residential garage area of 816 square feet. The second floor consists of two attached residential units with a total of 1,094 square feet of residential floor area. The project also includes landscaping, BMP installations, parking, and an exterior trash enclosure structure as identified on the site plans and conditioned with the permit. Approval includes administrative approval of a five-foot reduction to the front setback along Hopi Avenue. The architectural design of the building and project site consists of natural, subdued, earthtone colors, for compatibility with the surrounding natural and urbanized landscape as set forth on Exhibits D, J, L, and M.

The construction, project design, uses, and protection of environmental resources shall conform to the project description above, and the hearing exhibits and conditions of approval below. The exterior finishes of the proposed building shall conform with the approved colors and materials for the project. 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 drainage plans) must be submitted for review and approval, and shall be implemented as approved by the County.

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 County harmless from any legal fees or costs 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 processing 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 County will cooperate fully in the defense.

3. The final site plan shall identify the location of the light post within the parking lot area. The light post shall not be located closer than 40 feet from the north side property line. A Lighting Plan shall be provided to identify the downward projected horizontal plane of lighting, for demonstration that all lighting will be fully retained on-site. The light fixture style shall conform to the height and design illustrated in Exhibit J. The light post shall have a top and side shielded/hooded ballast design to project light in an on-site downward projection. Exterior lighting is subject to the applicable standards of the Meyers Community Plan and Section 17.14.170 of the County Zoning Ordinance.
4. The building and trash enclosure shall meet a minimum front yard setback of 15 feet from the front property line adjacent to Hopi Avenue. All other property line setback requirements as identified in Section 17.58.190(A) shall remain in effect for the property.
5. The solid wood fence shall not exceed a height of 40 inches within the front yard setbacks for the parcel. The wood fence shall retain a natural wood finish color.
6. A material sample shall be provided for the trash enclosure structure to Planning Services prior to issuance of the building permit. The exterior colors of the structure shall be consistent with the approved colors for the main building, or consistent with TRPA Approved Colors for the project site.
7. The project shall comply with the applicable parking lot construction standards of Section 17.18.070 of the County Zoning Ordinance.
8. All Development Services fees shall be paid prior to the issuance of a building permit.
9. The project requires an allocation of commercial floor area from the County. An approved allocation of commercial floor area shall be required prior to the issuance of a building permit.

El Dorado County Department of Transportation

10. The flow direction on the encroachment for Hopi Avenue shall be marked in a northerly direction. If saw cutting of the existing roadway beyond the driveway is needed for proper tie-in, an encroachment permit shall be required. Within the traveled way, A.C.

replacement shall be two and a half inches A.C. over eight inches of Class II aggregate base compacted to 95 percent relative compaction per ASTM D-1557.

El Dorado County Department of Environmental Management/Air Quality Management District

11. The project is subject to El Dorado County Air Pollution Control District Rule 223 and 223.1 for the control of fugitive dust.
12. Project construction involving road development shall adhere to District Rule 224 Cutback and Emulsified Asphalt Paving Materials.
13. Burning of wastes from land development clearing shall be permitted through the District, pursuant to Rule 300 Open Burning.
14. The project shall comply with District Rule 215 Architectural Coatings.
15. Project construction shall incorporate the heavy equipment and mobile source air pollution reduction measures prescribed by the Department of Environmental Management's letter dated March 12, 2007.

El Dorado County Building Services

16. Prior to application for a building permit, the applicant shall obtain two residential allocations from Building Services for the two residential units.
17. An Encroachment Permit for the driveway encroachments along Hopi Avenue and Magua Street shall be issued prior to or concurrently with the issuance of a building permit.

ATTACHMENT 2 FINDINGS

**FILE NUMBER S06-0023/DR 06-0011S
Planning Commission July 12, 2007**

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 The project has been found to be Categorically Exempt from CEQA pursuant to Section 15303 (b) and (c) of the CEQA Guidelines. This exemption applies to the construction and location of limited numbers of new, small facilities or structures.
- 1.2 The document 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 the Adopted Plan land use designations of the 2004 El Dorado County General Plan, which includes the Meyers Community Plan and TRPA Regional Plan, which authorize the project as a permissible use for the project site.
- 2.2 The project is consistent with the General Plan as articulated in Goal 2.10 and Policy 2.10.1.1. The project is consistent with the land use, design review, and commercial floor area requirements of the Meyers Community Plan, as further articulated in appendices A and C. The project is consistent with all applicable regulations of the TRPA Regional Plan, which includes the Meyers Community Plan Area Statement and Code of Ordinances, concerning land use compatibility, traffic, noise, commercial floor area, and scenic design. Therefore, the project is consistent with the General Plan, TRPA Regional Plan, and Meyers Community Plan.

3.0 ZONING FINDINGS

- 3.1 The proposed use is permitted by special use permit in the West Meyers Land Use District (MCP-3) of the Meyers Community Plan, pursuant to Section 17.58.180.A (Table A) of the El Dorado County Code.

- 3.2 As conditioned, the project meets all applicable development standards contained within the El Dorado County Zoning Ordinance, including but not limited to, Chapter 17.14 (Miscellaneous Development Requirements), Chapter 17.18 (Off-Street Parking and Loading), Chapter 17.22 (Special Use Permit), and Chapter 17.58 (Meyers Community Plan Districts).

4.0 ADMINISTRATIVE FINDINGS

- 4.1 Administrative Relief Findings for Front Setback Reduction from 20 Feet to 15 Feet for the Front Property Line Adjacent to Hopi Avenue.

- 4.1.1. *The proposed reduction is the minimum amount necessary to accommodate the needs of the property owner.*

As proposed, the lower floor of the building is limited to a residential garage parking area of 861 square feet and two office units of 751 square feet of commercial floor area. Due to the narrow rectangular orientation and limited size of the parcel at 8,313 square feet, the front setback reduction to 15 feet along Hopi Avenue is the minimum setback reduction necessary to allow reasonable use of the building and property. Restrictions associated with parking dimension requirements, driveway aisle width, and land coverage limitations would substantially prevent the proposed building from meeting strict application of the front yard setbacks.

- 4.1.2. *There are no objections from any adjacent property owner.*

All adjacent property owners within 500 feet of the project parcel will be notified of the project proposal and Planning Commission meeting scheduled for July 12, 2007.

- 4.1.3. *The proposed waiver will not be detrimental to the public health, safety, or welfare, or injurious to the neighborhood.*

The project has been designed and conditioned for consistency with all applicable development standards pertaining to the Meyers Community Plan, TRPA Regional Plan, and County Zoning Ordinance. The project was distributed to all responsible public agencies with associated development authority for the project, and no comments of concern were received for the project. Therefore, the project is not anticipated to be detrimental to the public health, safety, or welfare, or injurious to the neighborhood.

- 4.2 Special Use Permit Findings

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

As discussed above with General Plan findings 2.1 and 2.2, the issuance of the permit is consistent with the General Plan, due to the project's consistency with the applicable policies of the Adopted Plans for the project area, which includes the regulations of the Meyers Community Plan and TRPA Regional Plan.

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

The proposed use would not be detrimental to the public health, safety, and welfare, or injurious to the neighborhood, as it will fit within the context of the surrounding mix of residential and commercial land uses adjacent to the project site and result in insignificant noise and traffic impacts to surrounding residents and businesses. The project was distributed to all responsible public agencies with associated development authority for the project, and no comments of concern were received for the project. Therefore, the project is not anticipated to be detrimental to the public health, safety, or welfare, or injurious to the neighborhood.

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

The proposed use is specifically permitted by special use permit pursuant to Section 17.58.180 (Table A) of the El Dorado County Zoning Ordinance, as the required findings detailed above may be made by the Planning Commission.