

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



**Agenda of:** March 13, 2008  
**Item No.:** 7.  
**Staff:** Aaron Mount

**SPECIAL USE PERMIT**

**FILE NUMBER:** S05-0031/El Dorado Hills Kingdom Hall

**APPLICANT:** El Dorado Hills, CA Congregation of Jehovah's Witnesses, Inc.

**AGENT:** Carlton Engineering

**REQUEST:** Special use permit to allow the construction of a 9,190 square foot church within the El Dorado Hills Business Park.

**LOCATION:** On the east side of Hillsdale Circle, north of the intersection with Glenhaven Court in the El Dorado Hills area, Supervisorial District II. (Exhibit A)

**APN:** 117-085-07

**ACREAGE:** 2.5 acres

**GENERAL PLAN:** Research and Development (R&D) (Exhibit B)

**ZONING:** Research and Development/Design Community (R&D/DC) (Exhibit C)

**ENVIRONMENTAL DOCUMENT:** Negative Declaration

**RECOMMENDATION**

Staff recommends the Planning Commission take the following actions:

1. Adopt the Negative Declaration based on the Initial Study prepared by staff; and
2. Approve Special Use Permit S05-0031 subject to the Conditions of Approval in Attachment 1, based on the Findings in Attachment 2.

**BACKGROUND:** The Special Use Permit application was submitted September 9, 2005 and deemed complete March 24, 2006 and a TAC meeting was held on May 8, 2006. At the TAC meeting El Dorado County Department of Transportation determined that the project triggered the threshold to require a traffic study. A final traffic study was submitted to DOT on December 2006, and revised Department of Transportation conditions were received by Planning Services on March 6, 2007. Final revised site plans, after review by the El Dorado Hills Business Park Architectural Design Review Committee, were received by Planning Services November 17, 2007.

**STAFF ANALYSIS**

Staff has reviewed the project for compliance with the County’s regulations and requirements. An analysis of the permit request and issues for Planning Commission consideration are provided in the following analysis:

**Project Description:** The project includes a 9,190 square foot church containing two assembly halls with a total of 392 seats, 148 parking spaces, and associated landscaping and lighting. The project proposes two encroachments onto Hillsdale Circle. Water and sewer service for the project will be provided by a connection to a public water and sewer system. The project is within an existing business park that contains all necessary infrastructure.

**Site Description:** The project parcel is at an average elevation of 500 feet above mean sea level. Vegetation is dominated by annual grasses with a few shrubs but no trees onsite. The subject parcel has an artificial grade along the frontage due to past road grading, while the majority of the parcel has a gentle grade. The subject parcel is unimproved however it is located within an established business park containing all necessary infrastructure including roads, water, and sewer.

**Adjacent Land Uses:**

|              | <b>Zoning</b> | <b>General Plan</b> | <b>Land Use/Improvements</b>  |
|--------------|---------------|---------------------|---|
| <b>Site</b>  | R&D           | R&D                 | Undeveloped   |
| <b>North</b> | R&D           | R&D                 | Undeveloped, furniture sales  |
| <b>South</b> | R&D           | R&D                 | Commercial Structure/Undeveloped (bldg permits issued), (printing, picture frames, computer services, machine shop) |
| <b>East</b>  | R&D           | R&D                 | Undeveloped   |
| <b>West</b>  | R&D           | R&D                 | Commercial Structures (machine shop, financial, insurance, irrigation product sales, welding and supplies)          |

**General Plan:** The General Plan designates the subject site as Research and Development. The purpose of this land use designation is to provide areas for the location of high technology, non-polluting manufacturing plants, research and development facilities, corporate/industrial offices, and support service facilities in a rural or campus-like setting which ensures a high quality, aesthetic environment. This designation is highly appropriate for the business park/employment center

concept. Lands designated as R&D can be located in Community Regions and in Rural Centers. Policy 2.2.5.2 requires that applications for discretionary projects, such as a special use permit, shall be reviewed to determine consistency with General Plan policies.

**Policy 6.5.1.6** states that new noise-sensitive uses shall not be allowed where noise level, due to non-transportation noise sources, will exceed the noise levels standards of Table 6-2. The applicant submitted an acoustical analysis prepared by EIP Associates. Based on the acoustical analysis conducted, the project meets acceptable noise level standards and would not be in conflict with Policy 6.5.1.6.

**Policy 2.2.1.5:** Table 2-3 establishes a maximum Floor Area Ratio (FAR) of .50. The subject parcel is 108,943 square feet in area, and the total square feet of the building footprints is 9,190 square feet. This equates to a FAR of 0.084. As proposed, the project complies with the 0.50 floor/area ratio allowed by General Plan Policy 2.2.1.5.

**Policy 2.8.1.1** directs that nighttime light and glare from parking area lighting, signage, and buildings needs to be reduced while combined with related design features, namely directional shielding for parking lot and outside building lighting, that could reduce effects from nighttime lighting. A complete site photometric plan for the parking lot has been included. The project will be conditioned such that all outdoor lighting will be required to conform to Section 17.14.170 and be fully shielded pursuant to the Illumination Engineering Society of North America's (IESNA) full cut-off designation. All lights will be shielded and downward directed so light does not spill over onto adjacent parcels. Planning Services recommends that the project be conditioned to limit nighttime lighting impacts by motion sensors and limiting the usage of lights shining after business closure. Parking lot lights have been conditioned to a height of 15 feet due to taller lights being obstructed by mature trees.

**Policy TC-Xf** requires projects that "worsen" traffic levels of service on the County road system must either construct the improvements to lessen the impact or ensure that adequate funding exists to assure the improvements are completed. The applicant supplied a traffic study prepared by Prism Engineering that concluded that the proposed project would require no mitigations as there was a less than significant impact at the study intersections.

**Policies 9.1.2.4 and 9.1.2.8** direct that discretionary projects be evaluated with regard to their ability to implement, integrate and link, where possible, existing and proposed National, State, regional, County, city and local hiking, bicycle, and equestrian trails for public use. There are Class 2 bike lanes proposed for Latrobe Road and Golden Center Drive. Staff recommends that the project be conditioned to require that a minimum of two bicycle spaces/racks be provided at a location or locations chosen by the applicant and approved by Planning Services to achieve consistency with these policies.

The project has been reviewed in accordance with the El Dorado County 2004 General Plan policies and it has been determined that the project is consistent with the General Plan. Findings of consistency with the General Plan are provided in Attachment 2.

**Zoning:** The proposed use is permitted in the R&D Zone District, pursuant to Section 17.35.025.B, which allows churches by Special Use Permit. 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 would not be detrimental to the public health, safety and welfare and would not be injurious to the neighborhood.

Sections 17.35.025.B.1-8 details specific studies and exhibits required before approval of churches and schools. The required information is contained in the project file and shows conformance with all requirements. Most importantly the proposed church is not located adjacent to an industrial use that uses or produces hazardous or toxic chemicals, an acoustical analysis has been submitted showing conformance with Table 6-1 of the General Plan, and the proposed project will not exceed a five (5) percent build out maximum within the R&D zoning district of churches, places of worship, and schools. The El Dorado Hills Business Park comprises a total of 893 acres of land located within the R&D zone district. At this time it has been determined that five (5) percent of the 893 acres would allow 44.65 acres of land to be used for churches or private schools. Currently, 15.8 acres of land are being used for churches and private schools in the business Park, leaving 28.85 acres available for future schools or churches. The project encompasses 2.5 acres, therefore can be allowed in the Business Park.

**Landscaping:** Proposed landscaping is in conformance with Section 17.35.030.D. The project has been conditioned to ensure that 50 percent of the plants used are drought tolerant and native to the area as the preliminary plans are not consistent with General Plan Policy 7.3.5.1.

**Signage:** One sign is proposed with a height of 64 inches and a length 13 feet 10 inches. The sign area is 26 square feet with the remaining area containing cultured stone. The proposal is consistent with Section 17.35.030.F in size and Section 17.35.030.D.1 for location and setbacks.

**Building design:** The proposed architectural design and colors are consistent with Section 17.35.030.L in that the options listed on the submitted color elevation contain a maximum of two building colors and one accents color. All building materials are consistent with R&D Zoning Ordinance and have been approved by the El Dorado Hills Business Park Architectural Design Review Committee.

**Parking:** The proposed church is 9,190 square feet with 392 seats. Pursuant to Section 17.18.060.45, churches are required to provide one parking space per four seats within the main auditorium. Therefore, the proposed church is required to provide 98 off-street parking spaces. The submitted site plan indicates that 148 parking spaces are available for use at the subject site. Section 17.35.025.A.5 states that the parking plan shall include an overflow parking plan for assemblies and special events. The proposed parking exceeds the minimum requirements and provides additional spaces for assemblies and special events.

**Access/Circulation:** The project's square footage triggered the threshold to require a traffic study. The traffic study concluded that the project will not generate any additional traffic impacts

that cannot be accommodated by the existing access/circulation system. Roadway impacts are insignificant.

**Agency and Public Comments:** The El Dorado Hills Area Planning Advisory Committee expressed concern that the proposed church structure should be able to be converted to business usage should the current use terminate. It is conceivable that the structure could be converted to a corporate training facility should the use as a church end. They also commented that bike racks and sidewalks should be included. These items are included in the conditions of approval.

New issues may arise as a result of the public notice of the hearing which will be discussed at that time.

## **ENVIRONMENTAL REVIEW**

Staff has prepared an Initial Study (Environmental Checklist with Discussion attached) to determine if the project has a significant effect on the environment. Based on the Initial Study staff has determined that there is no substantial evidence that the proposed project will have a significant effect on the environment, and a Negative Declaration has been prepared.

**NOTE:** This project is not located within or adjacent to an area which has wildlife resources (riparian lands, wetlands, watercourse, native plant life, rare plants, threatened and endangered plants or animals, etc.), and was not referred to the California Department of Fish and Game. In accordance with State Legislation (California Fish and Game Code Section 711.4), the project is subject to a fee of \$1,926.75 after approval, but prior to the County filing the Notice of Determination on the project. This fee, less \$50.00 processing fee, is forwarded to the State Department of Fish and Game and is used to help defray the cost of managing and protecting the State's fish and wildlife resources. Under the revised statute effective January 1, 2007, a project proponent asserting a project will have no effect on fish and wildlife should contact the CDFG and the CDFG will review the project, make the appropriate determination, and in "no effect" cases, the CDFG will provide the project proponent with documentation of exemption from the filing fee requirement.

## 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 .....    | Floor Plan                 |
| Exhibit F1-2 ..... | Elevations                 |
| Exhibit G .....    | Sign Elevation             |
| Exhibit H .....    | Landscape Plan             |
| Exhibit I .....    | Lighting Plan              |
| Exhibit J .....    | Irrigation Plan            |
| Exhibit K .....    | Trash Enclosure Elevations |
| Exhibit L1-2 ..... | Hardscape Pattering Plans  |
| Exhibit M .....    | Color Elevations           |

# **ATTACHMENT 1**

## **CONDITIONS OF APPROVAL**

Special Use Permit S05-0031/El Dorado Hills Kingdom Hall  
Planning Commission/March 13, 2008

### **El Dorado County Planning Services**

1. This special use permit is based upon and limited to compliance with the project description, the Planning Commission hearing exhibits marked Exhibits D-M, dated [fill in date], 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:

A 9,190 square foot church, includes two assembly halls containing a total of 392 seats, and a 884 square foot drive-thru area with a maximum height of approximately 20 feet; 148 off-street parking spaces; two encroachments onto Hillsdale drive; 34,900 square of landscape area; a monument sign with a height of 64 inches and a length 13 feet 10 inches and a sign area of 26 square feet with the remaining area containing cultured stone; a trash enclosure; public water and sewer provided by El Dorado Irrigation District, and lighting.

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. 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.

3. The applicant shall make the actual and full payment of planning processing fees for the Special Use Permit application prior to the issuance of building permits.
4. Exterior colors and materials for buildings shall substantially conform to the following color palette submitted as Exhibit M. The exterior of the buildings will be tan stucco with dark brown or tea chest trim and grey 30-year fire resistant roof shingles will be installed for the project. All exterior building materials, treatments, and landscaping shall be maintained in good visual repair, at all times.
5. Rooftop mechanical equipment, vents, and ducts shall be screened from view consistent with Section 17.35.030.L.3.a
6. The final landscape plan shall meet Zoning Ordinance Chapter 17.18.090 and 17.35 and General Plan Policies 7.3.5.1, 7.3.5.2, and 7.4.4.4 and be approved by the Deputy Planning Director or designee the prior to issuance of the building permit. The final revised Landscape Plan shall include a minimum of 50 percent native materials. The applicant shall install landscaping in accordance with the approved final landscaping plan and maintain for the life of the project.
7. 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. In addition, the following apply:
  - a. External lights used to illuminate a sign or side of a building or wall shall be shielded in order to prevent light from shining off the surface to be illuminated.
  - b. No more than 50 percent of the parking lot lighting may remain on during hours of non-operation. Security lighting shall be designed with motion-sensor activation.
  - c. Pole lights shall not exceed fifteen (15) feet in height from finished grade to the top of the pole.

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.

8. The applicant shall include provisions for bicycle parking on the site by providing a minimum of two bicycle spaces/racks, not necessarily all together, within the project. The bike racks shall be installed prior to finaling of the building permit.

9. In the event a heritage resource or other item of historical or archaeological interest is discovered during grading and construction activities, the applicant shall ensure that all such activities cease within 50 feet of the discovery until an 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 the appropriate measures are taken or the site is determined not to be of significance. Planning Services shall review and approve the grading plans prior to the issuance of a grading permit.
10. 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 24hours. The treatment and disposition of human remains shall be completed consistent with guidelines of the Native American Heritage Commission. Planning Services shall review and approve the grading plans prior to the issuance of a grading permit.
11. 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. The applicant shall also schedule an inspection by Planning Services prior to occupancy/issuance of a building permit for verification of compliance with applicable conditions of approval.
12. The Special Use Permit shall be null and void if the use is discontinued for greater than 12 months.

### **El Dorado County Department of Transportation**

13. The developer shall obtain approval of project improvement plans and cost estimates consistent with the Subdivision Design and Improvement Standards Manual from the County Department of Transportation, and pay all applicable fees prior to issuance of a grading or building permit.
14. The developer shall enter into an Improvement Agreement with the County and provide security to guarantee performance of the Improvement Agreement as set forth within the County of El Dorado Major Land Division Ordinance, prior to issuance of a grading permit.
15. The developer shall construct a six (6) foot wide sidewalk as specified in El Dorado County Standard Plan 110 along the entire project frontage, prior to or concurrent with the application for the grading permit for any future on-site work. This work must be substantially complete, as determined by the Department of Transportation, prior to issuance of certificate of occupancy

16. The developer shall construct Std. Plan 103G driveways onto Hillsdale Circle. This work must be substantially complete, as determined by the Department of Transportation, prior to occupancy of any unit of this project. All curb returns, at pedestrian crossing, shall include a pedestrian ramp with truncated domes per Caltrans Standard A88A and four feet of sidewalk/landing at the back of the ramp.
17. The applicant shall pay the traffic impact fees in effect at the time a building permit is deemed complete.
18. No signs shall be placed in the right of way, and any site signs shall not interfere with sight distances.

### **El Dorado Hills Fire Department**

19. The potable water system for the purpose of fire protection for this commercial development shall provide a minimum fire flow of 1,500 gpm with a minimum residual pressure of 20 psi for a two-hour duration. This fire flow rate shall be in excess of the maximum daily consumption rate for this development. A set of engineering calculations reflecting the fire flow capabilities of the system shall be supplied to the Fire Department for review and approval prior to issuance of a building permit.
20. The applicant shall install Mueller Dry Barrel fire hydrants conforming to El Dorado irrigation District specifications for the purpose of providing water for fire protection. The spacing between hydrants in this development shall not exceed 300 feet. The exact location of each hydrant and all fire protection equipment shall be determined by the Fire Department.
21. To enhance the nighttime visibility, each hydrant shall be painted with safety white enamel and marked in the roadway with a blue reflective marker as specified by the Fire Department and the Fire Safe regulations prior to issuance of occupancy.
22. In order to provide this development with adequate fire and emergency medical response during construction, all access roadways and fire hydrants systems shall be installed and in service prior to framing of any combustible members as specified by El Dorado Hills Fire Department Standard 103.
23. The applicant shall be required to fire sprinkler this building in accordance with NFPA-13 and Fire Department requirements.
24. The applicant shall be prohibited from installing any type of traffic calming devices that utilize a raised bump or a lower dip section of the roadway.
25. The applicant shall provide the Fire Department with a CD that contains all CAD files for this project.

26. The fire access roadways shall be designed to accommodate a 40 foot inside and a 56 foot outside turning radius.

## **ATTACHMENT 2 FINDINGS**

File Number S05-0031/El Dorado Hills Kingdom Hall  
Planning Commission/March 13, 2008

### **1.0 CEQA Findings**

- 1.1 El Dorado County has considered the Negative Declaration together with the comments received during the public review process. The Negative Declaration reflects the independent judgment of the County and has been completed in compliance with CEQA and is adequate for this project.
- 1.2 No significant impacts to the environment as a result of this project were identified in the initial study.
- 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-Planning Services at 2850 Fairlane Court, Placerville, CA.

### **2.0 General Plan Findings**

- 2.1 As proposed, the project is consistent with the General Plan land use designation which designates the subject site as Research and Development (R&D) as the proposed church is a support service to the community and the business park.
- 2.2 As conditioned, the proposal is consistent with the intent of The General Plan including Policies 2.2.5.2, 2.2.1.5, 2.8.1.1, 6.5.1.6, 9.1.2.4, 9.1.2.8, and TC-Xf because of the review for land use consistency and siting, impacts of the proposal on sensitive receptors, floor area ratio, and review of traffic impacts.

### **3.0 Special Use Permit Findings**

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

The proposed church has been determined to be in compliance with County regulations, addressing environmental issues and health and safety concerns. All project-related environmental issues have been evaluated. Therefore, staff finds that the project, as conditioned, conforms to the General Plan as specifically noted in Finding 2.2.

- 3.2 *The proposed use would not be detrimental to the public health, safety and welfare, or injurious to the neighborhood, based on the conclusions contained in the staff report.*

The use will not conflict with the adjacent uses as analyzed in the Negative Declaration and as required by the R&D zoning ordinance. After review of the submitted site plan and upon consultations with concerned agencies, it has been determined that the impacts of allowing a church within the R&D zone district, would not have a detrimental affect nor be injurious to the neighborhood.

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

The proposed church is located within the Research and Development (R&D) Zone District, which allows churches through the issuance of a special use permit pursuant to Section 17.36.080.I of the El Dorado County Zoning Ordinance.