

**STAFF REPORT TO: AMADOR COUNTY PLANNING COMMISSION
FOR MEETING OF NOVEMBER 18, 2014**

**Item 1 – PUBLIC HEARING - REQUEST FOR A USE PERMIT TO ALLOW UP TO 4
TABLES FOR OUTDOOR SEATING/DINING IN A “C1” ZONE DISTRICT.
(APN 033-160-015).**

Applicant: Amador Café & Bakery / Robert Dasch
Supervisory District III

Location: 26590 Highway 88, approximately 600’ west of the Tiger Creek
Road/SR 88 intersection, in the Buckhorn community.

- A. GENERAL PLAN DESIGNATION:** C - Commercial
- B. ZONING:** “C1”
- D. DESCRIPTION / BACKGROUND:** This request is to allow up to four tables for outdoor seating and dining in conjunction with an existing restaurant and bakery located in the Buckhorn Village shopping center. The applicant seeks permission to occupy a portion of the covered public sidewalk in front of the building as outdoor dining for customers. Per County Code Section 10.24.040, the use of outdoor space for sales areas requires a Use Permit.
- E. TAC/STAFF REVIEW:** This project was reviewed by the Technical Advisory Committee on September 29, 2014, and has no technical objection to the granting of this Use Permit subject to the conditions and findings included in your Staff Report.
- F. FINDINGS:** If the Planning Commission moves for approval of this request, the findings are recommended for adoption following:
1. The granting of this Use Permit is sanctioned by County Code Section 19.24.040 (“C1” District zoning regulations, Part 4) and is consistent with County Code Chapter 19.56 (Use Permits) in that it will not under the circumstances be detrimental to the health, safety, peace, morals, comfort and general welfare of persons residing or working in the neighborhood or to the general welfare of the County; and
 2. The Use Permit will not have a significant adverse effect on the environment and is Categorical Exempt pursuant to Section 15061(b) (3) – CEQA General Rule - according to the State CEQA Guidelines, and a Notice of Exemption will be filed with the County Recorder.
- G. CONDITIONS:** If the Planning Commission moves for approval of this request, the following conditions are recommended for adoption:
1. All outdoor sales, seating, and dining shall be conducted in such a manner so as not to interfere with vehicular or pedestrian traffic. The sidewalk area approved for outdoor sales shall be maintained such that a clear pathway meeting Americans with Disabilities Act (ADA) requirements for pedestrian traffic is provided at all times. **THE BUILDING DEPARTMENT SHALL MONITOR THIS CONDITION.**

2. The outdoor sales, seating, and dining areas shall be located and conducted in substantially the same manner as shown on the approved plot plan and description, which allows the use of the sidewalk fronting the retail building. Any substantial deviation from the approved project shall require an amended or additional Use Permit. THE PLANNING DEPARTMENT SHALL MONITOR THIS CONDITION.

3. Outdoor seating connected with any food service shall only be allowed if and when there exists a valid food facility permit for this use. THE ENVIRONMENTAL HEALTH DEPARTMENT SHALL MONITOR THIS REQUIREMENT.