



COMMUNITY DEVELOPMENT SERVICES

LONG RANGE PLANNING

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TO: Planning Commission Agenda of: March 8, 2018

FROM: Tom Purciel, Associate Planner

DATE: January 24, 2018

RE: GOV18-0002/Forni Ranch Land Acquisition
Finding of Consistency for Acquisition of Real Property
APNs: 331-131-05 and 331-131-06

Recommendation:

The Community Development Services Planning and Building Department recommends that the Planning Commission find that County acquisition of 0.39 acres (northerly portion of APN's 331-131-05 and 331-131-06) in the unincorporated community of El Dorado for purposes of cemetery access and parking is consistent with the El Dorado County 2004 General Plan, pursuant to Government Code Section 65402.

Location:

The subject property consists of the north half of two contiguous lots on the south side of Cemetery Street, approximately 0.25 miles west of the intersection with State Highway 49 in the unincorporated community of El Dorado (Exhibit A).

APNs:	331-131-05 and 331-131-06 (Exhibit B)
Proposed Land Dedication:	Approximately 0.16 acres from APN 331-131-05 and approximately 0.23 acres from APN 331-131-06 (0.39 acres total) (Exhibit C)
General Plan Land Use Designation:	Commercial (C) (Exhibit E)
Zoning:	Commercial, Main Street (CM), (Exhibit F)
Supervisory District:	District 3

The subject property includes the north half of two adjoining lots (APN's 331-131-05 and 331-131-06) adjacent to the eastern boundary of the private, non-County operated El Dorado Cemetery. Cemetery access is from the south side of Cemetery Street, a County-maintained road, via a private unimproved driveway and dirt/gravel parking area across the northern portion of the project APN's (Exhibit A). As a result of continuous historic use of a portion of the project APN's for cemetery access and parking, the property owner is requesting to dedicate those lands to the County for permanent vehicular access (Exhibit C). The owner also requests to reserve two private access easements across the subject property ("Easement 1" and "Easement 2" as shown on Exhibit C) for permanent access to the adjacent Forni Ranch properties to the east and south. Legal descriptions of the proposed lots and access easements are attached as Exhibit D. The two APN's are currently

undeveloped and relatively flat, except for the portion used for vehicular access and parking. Vegetation consists of Blue Oak and Valley Oak woodland with seasonal grasses.

General Plan Consistency:

Pursuant to Government Code 65402 (Restrictions on acquisition and disposal of real property), the acquisition or sale of a property by a public agency must be reviewed by the planning agency for consistency with the General Plan. The planning agency for El Dorado County is the Planning Commission. The Commission must make a determination whether the proposed acquisition of the 0.41 acre property is consistent with the General Plan.

The 2004 General Plan designates the subject property 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. Numerous commercial zone districts shall be utilized to direct specific categories of commercial uses to the appropriate areas of the County. This designation is considered appropriate within Community Regions, Rural Centers and Rural Regions. The site is located within the El Dorado-Diamond Springs Community Region.

Use of the subject property for a parking lot is consistent with the Commercial (C) land use designation. In addition, a parking lot is allowed by right in all commercial zones. Therefore, the acquisition of land for cemetery access and parking will not require the County to amend the General Plan or Zoning.

The acquisition of the subject property is consistent with the General Plan because it is consistent with the following Goals, Objectives, and Policies of the General Plan as listed below.

Goal 7.5: Cultural Resources

Ensure the preservation of the County's important cultural resources.

Objective 7.5.4: Protection Of Cemeteries

Preservation and protection of existing cemeteries including access and parking.

Policy 7.5.4.1

Protect access routes and parking at existing cemeteries. Development proposals will be evaluated to ensure that they do not interfere with cemeteries or their access and parking.

Objective 10.2.1: Public And Civic Facilities Investment

Give a high priority to funding quality civic, public and community facilities, and basic infrastructure that serve a broad range of needs.

RECOMMENDATION:

Staff recommends the Planning Commission make the findings of General Plan consistency, pursuant to Government Code Section 65402, because the acquisition of 0.39 acres (northerly portion of APN's 331-131-05 and 331-131-06) is consistent with the General Plan Goals, Objectives and Policies listed above.

ATTACHMENTS:

- Exhibit ALocation Map
- Exhibit BAssessor’s Parcel Map
- Exhibit CProposed Land Dedication (Exhibit “B” of Lot Legal Descriptions, Tracts 1 and 2)
- Exhibit DLegal Descriptions of Proposed Lots and Access Easements (marked Exhibit “A” and Exhibit “A-1”)
- Exhibit E.....General Plan Land Use Map
- Exhibit F.....Zoning Map

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EXHIBIT A - LOCATION MAP

FILE GOV18-0002 Forni Ranch Land Acquisition

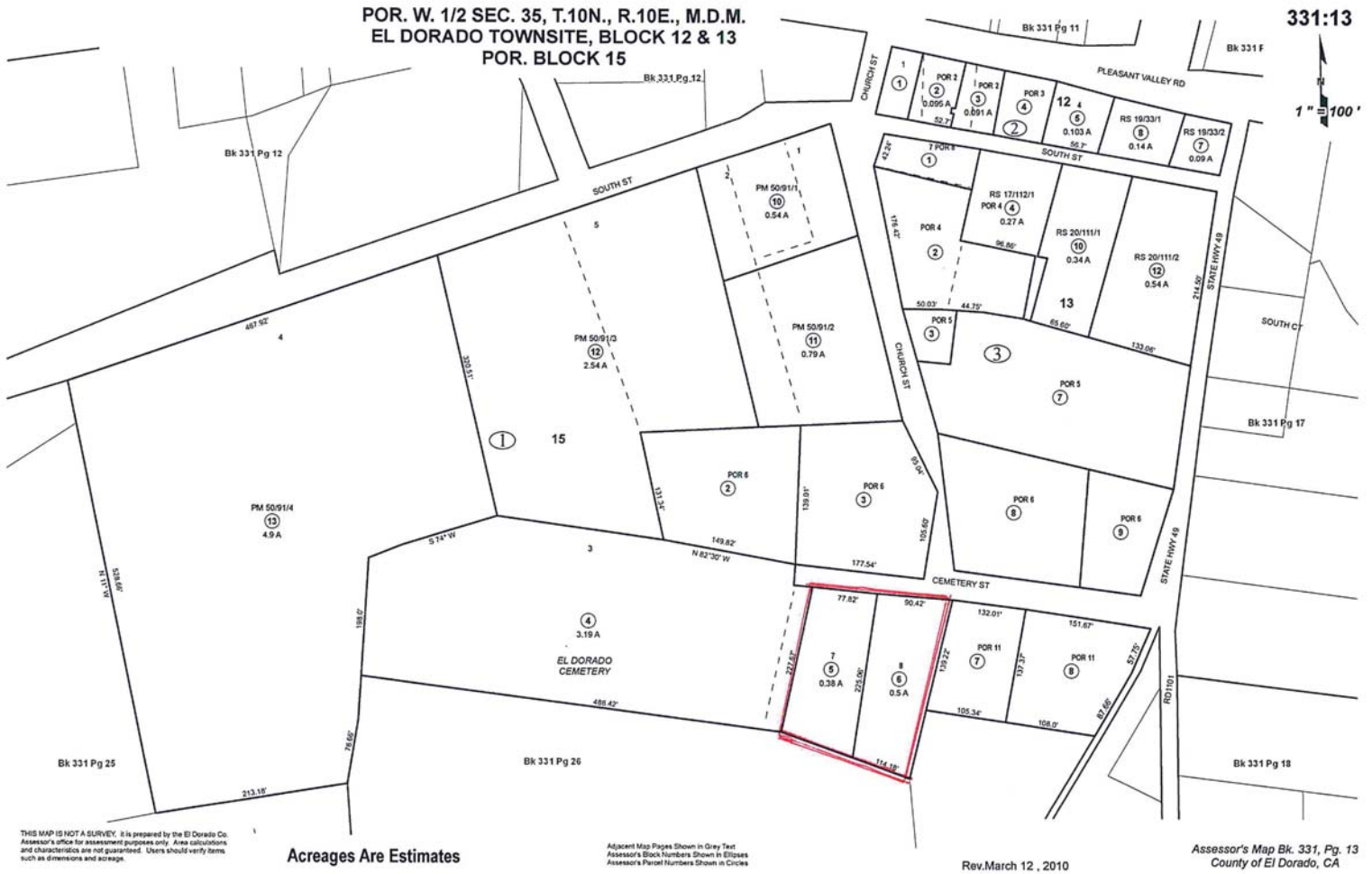
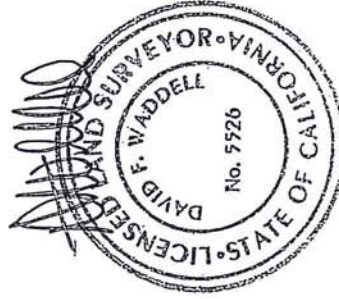
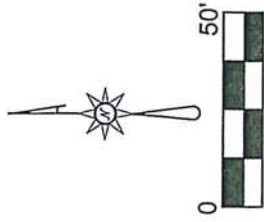


EXHIBIT B - ASSESSOR'S PARCEL MAP

Forni Ranch Land Acquisition

EXHIBIT "B"



FILE NAME	FORNI.TRV		
SCALE	50 Ft/in	DATE	1-20-2018
JOB	17-12	REVISION	1/1
		SHEET	1/1

This map drawn with TRAVERSE PC, Software

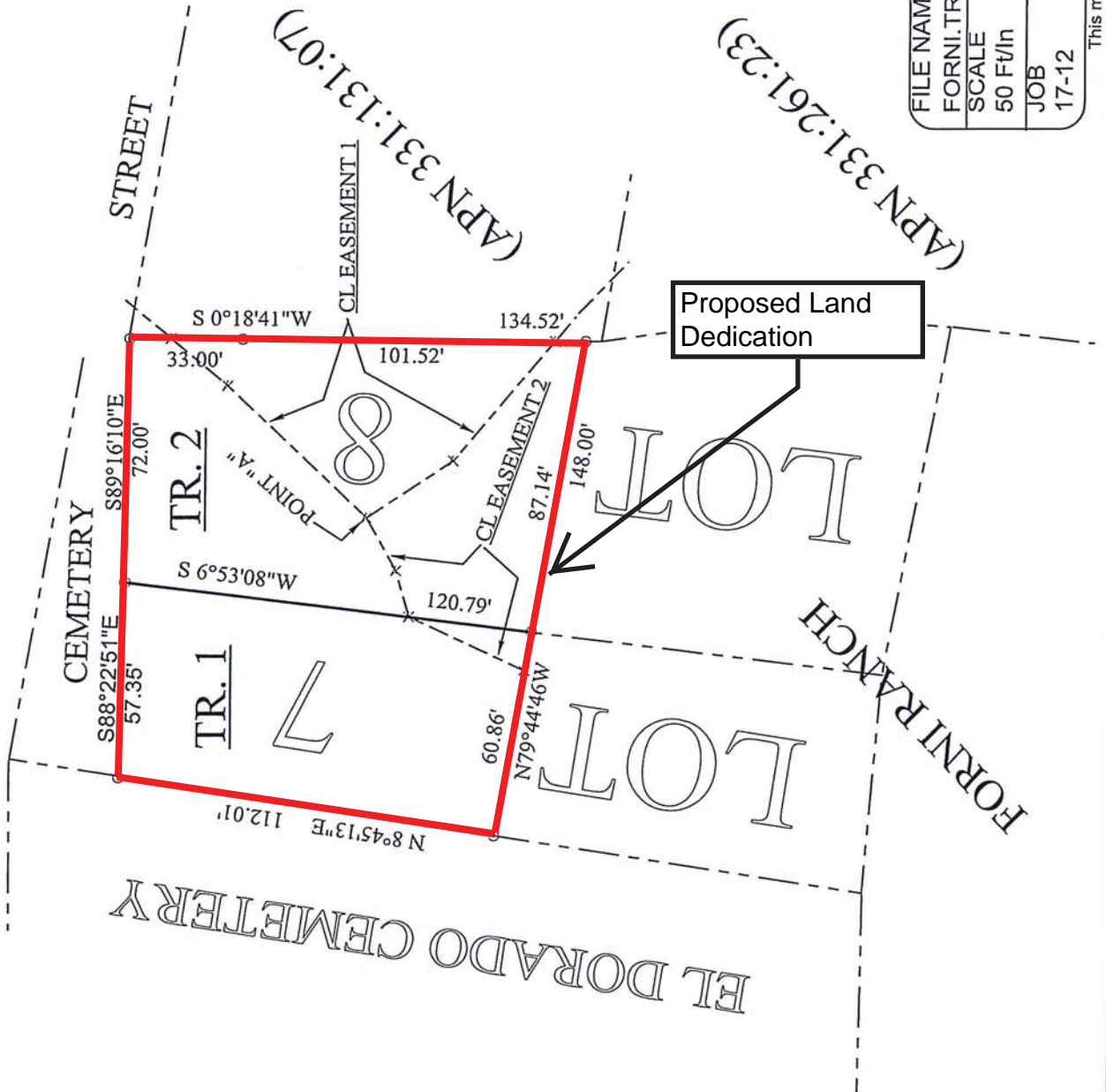


EXHIBIT C
PROPOSED LAND DEDICATION

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EXHIBIT "A"

All that certain real property situated in the unincorporated territory of the County of El Dorado, State of California, being a portion of the West half of Section 35, Township 10 North, Range 10 East, M.D.M., being more specifically the **Northerly portions of Lot 7 & Lot 8, Block 15, Townsite of El Dorado**, more particularly described as follows:

Tract 1:

Beginning at the Northeast corner of said **Lot 7**; thence from said POINT OF BEGINNING along the common line between said Lot 7 and Lot 8 South 06°53'08" West 120.79 feet to a point in an existing post & wire fence marking the Southeast corner hereof; thence along said post & wire fence North 79°44'46" West 60.86 feet to a 2 inch dia. metal fence post set at the intersection of a north-south fence line on the Easterly line of the El Dorado Cemetery marking the Southwest corner hereof; thence along said fence North 08°45'13" East 112.01 feet to the Northwest corner hereof; thence leaving said fence South 88°22'51" East 57.35 feet to the POINT OF BEGINNING. Containing 0.16 acres, more or less.

Tract 2:

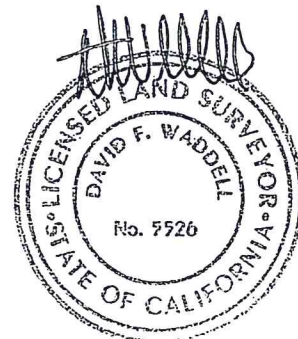
Beginning at the Northwest corner of said **Lot 8** said corner being common with the Northeast corner of said Lot 7; thence from said POINT OF BEGINNING South 89°16'10" East 72.00 feet to a spike marking the Northeast corner of said Lot 8; thence South 00°18'41" West 33.00 feet to a ¾ inch capped iron pipe stamped LS2725; thence continuing on last said line South 00°18'41" West 101.52 feet to a point at the Easterly intersection of the extension of an existing post & wire fence marking the Southeast corner hereof, from which point a ¾ inch capped iron pipe stamped LS2725 bears South 00°18'41" West 4.70 feet; thence along said post & wire fence and extension thereof North 79°44'46" West 87.14 feet to a point being common with the Southeast corner of Tract 1 above marking the Southwest corner hereof; thence along the common line between said Lot 7 and Lot 8 North 06°53'08" East 120.79 feet to the POINT OF BEGINNING. Containing 0.23 acres, more or less.

The purpose of this description is to effect a transfer of real property between the Grantor and Grantee herein.

Dated: January 19, 2018

17-12 forni2coe

EXHIBIT D



**LEGAL DESCRIPTIONS -
PROPOSED LOTS AND ACCESS EASEMENTS**

18-0312 A 7 of 10

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EXHIBIT "A-1"

All that certain real property situated in the unincorporated territory of the County of El Dorado, State of California, being a portion of the West half of Section 35, Township 10 North, Range 10 East, M.D.M., being more specifically the **Northerly portions of Lot 7 & Lot 8, Block 15, Townsite of El Dorado**, more particularly described as follows:

A strip of land the uniform width of fifteen feet (15'), lying seven and one-half feet (7-1/2') equally on each side of the following describe centerline:

Easement 1:

Beginning at a point on the Easterly line of said Lot 8 from which point the Northeast corner of said Lot 8 marked by a spike bears North 00°18'41" East 12.12 feet; thence from said POINT OF BEGINNING generally following along an existing graded roadway South 40°06'12" West 21.55 feet; thence South 43°29'08" West 56.59 feet to a point of intersection hereby identified as **Point "A"**; thence South 33°11'16" East 30.72 feet; South 49°37'48" East 46.46 feet to a point on the Easterly line of said Lot 8, to the TERMINUS of this centerline.

Easement 1 is to be appurtenant to APN's 331:131:07 & 331:261:23 and the remaining adjacent Forni Ranch property.

Easement 2:

Beginning at the point identified as **Point "A"** above; thence from said POINT OF BEGINNING South 60°17'31" West 17.95 feet; thence South 73°44'08" West 14.16 feet; thence South 24°41'08" West 37.88 feet to a point at the center of an existing gate in an existing post & wire fence line marking the TERMINUS of this centerline.

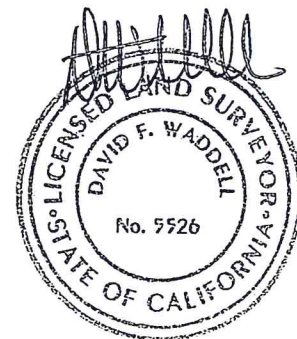
Easement 2 is to be appurtenant to the remaining adjacent Forni Ranch property.

The purpose of this description is to effect an easement for ingress and egress access to the lands indicated hereon.

Dated: January 19, 2018

17-12 easements

EXHIBIT D



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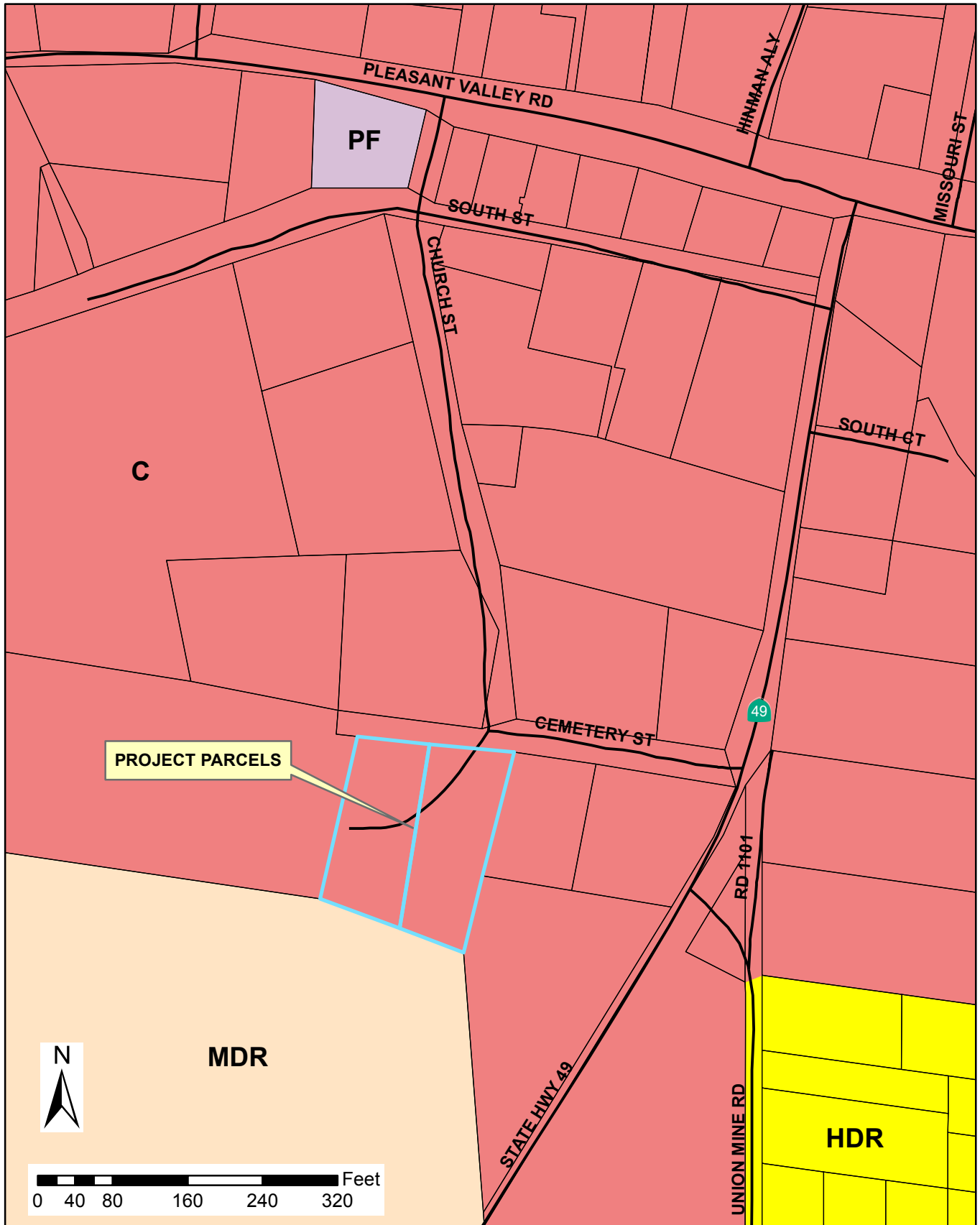


EXHIBIT E - GENERAL PLAN LAND USE MAP

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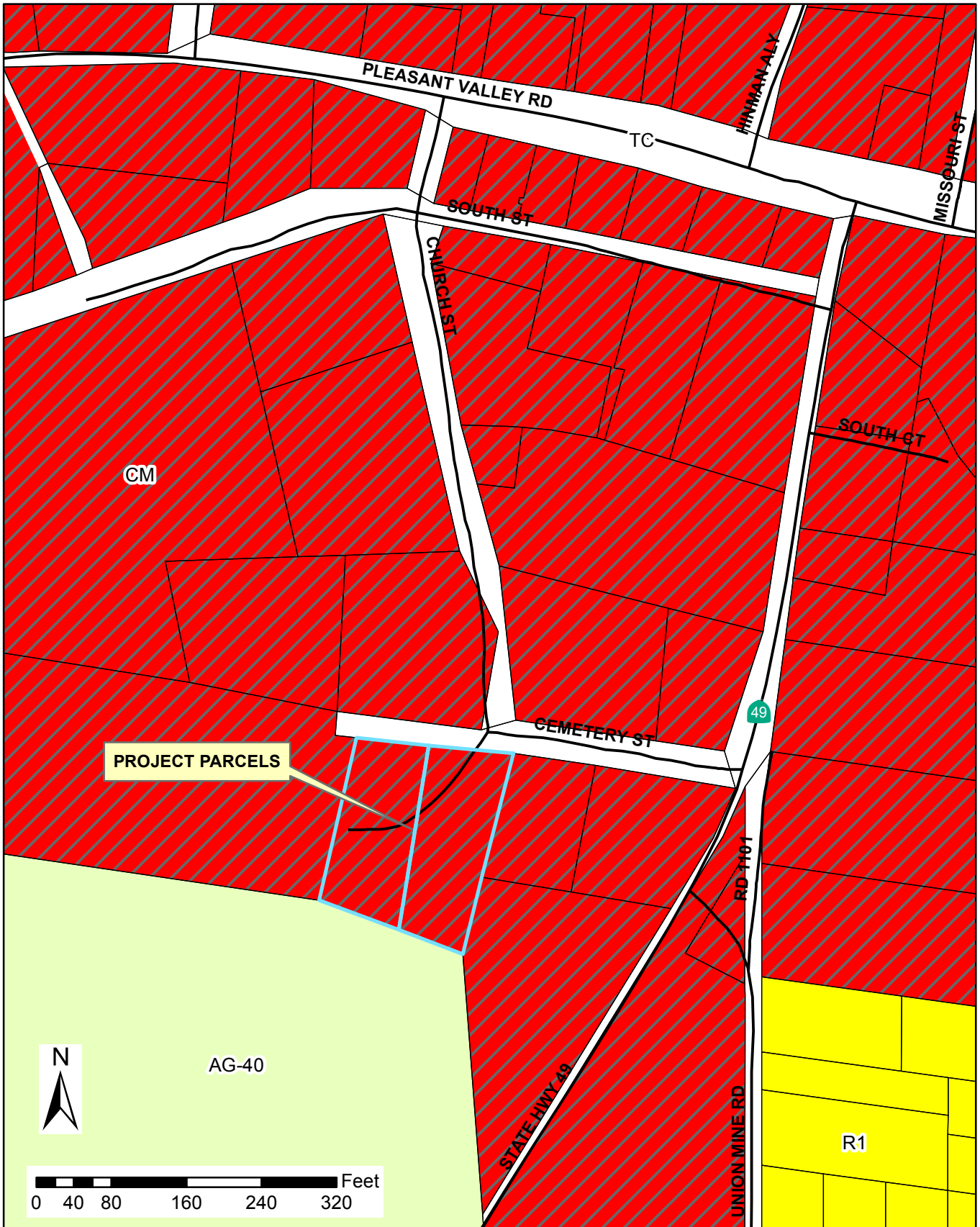


EXHIBIT F - ZONING MAP