

FROM THE MINUTES OF MAY 24, 2007

11. GENERAL PLAN AMENDMENT (Public Hearing)

A06-0009 initiated by the EL DORADO COUNTY PLANNING COMMISSION to consider amending the land use designation for 95 parcels at various locations throughout El Dorado County as shown below. These changes will facilitate the update to the County Zoning Ordinance, including the Zoning Maps, and are generally minor in nature, will have no significant effect on development potential, and correct errors on the map that would create problems with the updating of the Zoning Maps. Following are the proposed land use changes: Assessor's Parcel Number 060-480-31, Bear Creek Road 0.75 mile east of State Route 193 in the Kelsey area/Butte Equipment Rentals, Inc. – Rural Residential (RR) to Rural Residential-Mineral Resource (move Mineral Resource overlay to encompass entire parcel); 060-021-54, east side of Daffodil Lane north of Bear Creek Road 0.75 mile east of State Route 193 in the Kelsey area/Judith Kaye Canright, and 060-480-04, 0.25 mile south of Bear Creek Road one mile east of State Route 193 in the Kelsey area/Thomas M. Bridgeman – Rural Residential/Mineral Resource to Rural Residential (remove Mineral Resource overlay); 060-021-38, Bear Creek Road one mile east of State Route 193 in the Kelsey area/United States of America – Natural Resource/Mineral Resource (remove Mineral Resource Overlay); 062-030-19, 0.75 mile south of Volcanoville Road five miles north of Wentworth Springs Road in the Volcanoville area/Glenn H. Cochran – Natural Resource/Platted Lands (remove Platted Lands Overlay); 060-270-24, north side of Black Oak Mine Road 0.5 mile east of Marshall Road in the Garden Valley area/James W. Impson – Medium Density Residential (include parcel within Garden Valley Rural Center/MDR-GV); 085-450-12, east side of Kelly Green Street east of Greenbrook Drive 0.5 mile north of Hassler Road in the Camino Fruitridge area/Paul P. Green Trust – Natural Resource to Rural Residential with Agricultural District overlay; 009-051-18, east side of Forest Road south of U.S. Highway 50 in the Pollock Pines area/Thomas Lee Cloud – High Density Residential-Platted Lands to Natural Resource; 038-400-27, north side of U.S. Highway 50 in the Strawberry area/Sean Christman – Natural Resource/Strawberry Rural Center (remove Natural Resource portion of parcel from Strawberry Rural Center); portion 038-400-15, south side of U.S. Highway 50 in the Strawberry area/Gary D. Nibbelink Trust, 117-260-60, NE of Montrose Court in the Stonebriar subdivision in the El Dorado Hills area/Springfield Meadows Community Services District – High Density Residential to Open Space; portion 124-140-33/Family Real Property LP, and portion 124-010-02/County of El Dorado, both on the SE corner of Green Valley Road and Francisco Drive in the El Dorado Hills area – Commercial to High Density Residential; portion 117-190-47, Prima Drive, east of Stonebriar Drive in the El Dorado Hills area/County of El Dorado, and portion 117-010-04, east of Prima Drive in the Stonebriar subdivision in the El Dorado Hills area/Springfield Meadows Community Services District - Medium Density Residential to High Density Residential; portion 115-370-11, west side of Silver Springs Parkway 0.5 mile south of Green Valley Road in the Cameron Park area/Silver Springs, a CA LLC - Public Facilities to Low Density Residential; 070-011-03/Ennio Bellei, 070-011-02/Volker Ploog, and 070-011-01/Cameron-Rescue Self Storage, all three parcels on the south side of Green Valley Road west of Old Meder Road in the Cameron Park area - Commercial to Multi-Family Residential; 119-020-04/Buckeye Union School District, and 991-017-72, both parcels on the north side of Merrychase Drive 0.25 mile west of Cambridge Road in the Cameron Park area – High Density Residential to Public Facility; portion 083-020-

29, east side of Cameron Park Drive 0.1 mile north of Meder Road in the Cameron Park area/Frank P. Ambrosio, Jr. Trust – High Density Residential to Commercial; 317-331-14, 0.1 mile north of Roundhill Circle in the Greenstone area/Greenstone Country Owners Association, 317-331-03, end of Roundhill Court in the Greenstone area/Van E. Thompson, 317-120-13, on Summer Stream Lane 0.25 mile east of Lotus Road in the Greenstone area/James H. Johnson, 317-120-14, on Summer Stream Lane 0.25 mile east of Lotus Road in the Greenstone area/Pericles Holding Corp., 098-021-82, west side of Cedar Ravine 0.5 mile north of Quarry Road in the Diamond Springs area/Rocks Nevada LLC, 099-020-29, east side of Cedar Ravine 0.25 mile north of Quarry Road in the Diamond Springs area/Department of Veterans Affairs, 099-020-30, east side of Cedar Ravine one mile north of Quarry Road in the Diamond Springs area/Eric Todd Brunius – Low Density Residential (remove Mineral Resource Overlay); 317-120-08, south side of Sierra Rock Road east of Lotus Road in the Greenstone area/Rock Supply LLC; 102-150-16, south side of Sierra Rock Road east of Lotus Road in the Greenstone area/Rock Supply LLC, 102-150-28, east side of Lotus Road at Sierra Rock Road in the Greenstone area/Eric Todd Brunius, and 098-021-60, north side of Quarry Road and Cedar Ravine in the Diamond Springs area/Rock Supply LLC - Low Density Residential/Mineral Resource – Place Mineral Resource Overlay on entire parcels; 323-640-01, north end of Greenstone Lane one mile north of Green Valley Road in the Greenstone area/GGV Greenwood, a CA LLC – Low Density Residential (move Community Region boundary to encompass entire parcel/LDR-EDDS); 327-080-04, south side of Echo Lane one mile west of El Dorado Road in the Diamond Springs El Dorado area/Echo Lane Investors, a CA LLC – Medium Density Residential (move Community Region boundary to encompass entire parcel/MDR-EDDS); 325-020-03, west side of Dunroamin Way 0.5 mile north of Green Valley Road in the Diamond Springs El Dorado area/Arthur and Marian Hanna – Agricultural Lands with Important Biological Corridor overlay to Low Density Residential with Important Biological Corridor overlay; portion of 327-250-37, north side of Old Depot Road 0.1 mile east of Missouri Flat Road in the Diamond Springs El Dorado area/John Faber – Public Facility to Industrial; 990-495-67, Jacquier Road in the Smith Flat area – No previous land use designation; change to Agricultural Lands/Agricultural District; portion of 048-520-32, portion of Newtown Road east of Smith Flat Road in the Placerville area/County of El Dorado –Medium Density Residential Placerville Community Region to Low Density Residential and remove from Placerville Community Region; 048-121-69, east side of Newtown Road 0.75 mile east of Smith Flat Road in the Placerville area/John Neil, and 048-121-72, east side of Newtown Road 0.75 mile east of Smith Flat Road in the Placerville area/Fred L. Fassio – Medium Density Residential Placerville Community Region to Medium Density Residential Platted Lands; 097-180-04, south side of Great View Lane west of Canyon Valley Road in the Diamond Springs area/Roy C. Skinner – Rural Residential/Medium Density Residential to Rural Residential; portion of 097-180-05, north side of Great View Lane west of Canyon Valley Road in the Diamond Springs area/Stanley P. Farrelle – Medium Density Residential El Dorado Diamond Springs Community Region to Rural Residential and removal of Community Region; 092-161-03, west side of Dolomite Drive 0.5 mile east of State Route 49 in the Logtown area/El Dorado Irrigation District – Public Facilities Platted Lands to Public Facilities; 327-140-53, northwest side of Motherlode Drive 0.1 mile west of Missouri Flat Road in the Diamond Springs area/Seventh Day Adventist Church – Commercial to Medium Density Residential; 050-500-34, west side of Meadow Lane 0.25 mile west of Mosquito Road in the Placerville area/Daniel Raymond – Adopted Plan Placerville Community Region to Medium Density Residential-Platted Lands; 050-290-18, west side of

Mosquito Road 0.75 mile north of U.S. Highway 50 in the Placerville area/Florence Bisagno Succ. Trust, and 050-290-14, portion of Mosquito Road 0.75 mile north of U.S. Highway 50 in the Placerville area/County of El Dorado – High Density Residential Placerville Community Region with Agricultural District Overlay/Remove Agricultural District Overlay; 043-030-30, -37, and -32, on Carson Court southeast of Carson Road 0.1 mile east of the Carson Road intersection with U.S. Highway 50 in the Camino area/Deanna L. Lund Trust, 043-030-04, on Carson Court southeast of Carson Road 0.1 mile east of the Carson Road intersection with U.S. Highway 50 in the Camino area/Robert F. Brown, and 043-030-07, on Carson Court southeast of Carson Road 0.1 mile east of the Carson Road intersection with U.S. Highway 50 in the Camino area/Sonja Daniels - Rural Residential with Agricultural Overlay to Commercial and inclusion within Camino Pollock Pines Community Region; 043-030-02, on Carson Court southeast of Carson Road 0.1 mile east of the Carson Road intersection with U.S. Highway 50 in the Camino area/Joni Robinson – Commercial/Agricultural District/Remove Agricultural District Overlay and include in Camino Pollock Pines Community Region; 043-170-06, south side of Barkley Road in the Camino area/Sierra Pacific Industries – Natural Resource Camino Pollock Pines Community Region/Remove Community Region designation; portion of 077-750-61, south side of Escondito Circle in the Pleasant Valley area/Nicolaas van Klaveren Trust – Rural Residential to Low Density Residential; 990-836-43, on Mt. Aukum Road 0.1 mile north of Grizzly Flat/Bucks Bar intersection in the Somerset area - Commercial to Commercial Somerset Rural Center; 317-331-07, NW side of Roundhill Circle in the Greenstone area/Jeffrey L. Davidson Trust – Low Density Residential/Mineral Resource Overlay/Important Biological Corridor overlay (remove Mineral Resource overlay); 102-150-25, east side of Lotus Road at Summer Stream Lane in the Greenstone area/Sierra Terra, Inc., and 99-040-01, at the junction of Quarry Road with Cedar Ravine in the Diamond Springs area/Rock Supply, LLC – Industrial/Mineral Resource overlay (remover Mineral Resource overlay). All of the following parcels are proposed to be changed from Open Space to High Density Residential: portion 117-220-64 and 117-260-63, northern portion of Dunnwood Drive in the El Dorado Hills area/Stonebriar LP; portion 117-260-41/Paul G. Komarchuk; portion 117-260-40/Thomas Ying-Tai Li; 117-260-39/Carlos Solorzano; 117-260-65/Philip A. Bentivegna Trust, all on the west side of Dunnwood Court in the Stonebriar subdivision in the El Dorado Hills area; 117-260-21, east side of Montrose Court in the Stonebriar subdivision in the El Dorado Hills area/Jim S. Woo; 117-260-20, north end of Montrose Court in the Stonebriar subdivision in the El Dorado Hills area/Michael A. Nasello; 117-260-19, north end of Montrose Court in the Stonebriar subdivision in the El Dorado Hills area/David L. Crozier; portion 117-260-22/Donald P. Madsen, portion 117-260-23/Kenneth A. Heal, portion 117-260-24/Myrle Frank Trust, and portion 117-260-25/William Douglas Sedgwick Trust, all on the east side of Montrose Court in the Stonebriar subdivision in the El Dorado Hills area; portion 117-240-23/John Chanda, and portion 117-240-22/Christelle Momeyer on the SE corner of Dunnwood Drive in the Stonebriar subdivision in the El Dorado Hills area; portion 117-260-27/Justin C. Sharp, and portion 117-260-26/Charles Briney, both parcels on the NE side of Montrose Way in the Stonebriar subdivision in the El Dorado Hills area; portion 117-260-61, on the SW side of Montrose Way in the Stonebriar subdivision in the El Dorado Hills area/Springfield Meadows Community Services District; portion 117-260-12/Larry A. Hicks, Jr., portion 117-260-13/Armen G. Keledjian, portion 117-260-14/Cruz Arellanes Jr. Trust, portion 117-260-15/Ted G. Marsh, 117-260-16/Thomas L. Kosena, and 117-260-17/Miles S. Feinberg, all on the NE side of Winterfield Drive in the Stonebriar subdivision in the El Dorado Hills area; 117-260-01/Matthew C. Neal, 117-260-

02/Huy Ly, 117-260-03/Michael A. Camello, 117-260-04/Phu Nguyen, 117-260-05/Steven C. Harbaugh, 117-260-06/Ricardo A. Rodriguez, 117-260-07/Peter T. Porter, 117-260-08/Department of Veterans Affairs, all on the SW side of Winterfield Drive in the Stonebriar subdivision in the El Dorado Hills area; 117-260-09/Timothy J. Halverson, 117-260-10/Kirk Minami, and 117-260-11/David S. Bier, all on the north side of Winterfield Drive in the Stonebriar subdivision in the El Dorado Hills area. (Environmental Document – 15164 Addendum to the General Plan EIR/SCH2001-082030) [Supervisory Districts I, II, III, and IV]

Staff: Roger Trout recommended forwarding a recommendation of approval, giving the Commissioners some background information on these map changes. He presented a memo which proposed removing several of the parcels from the application. Using the maps, Mr. Trout explained the reasons for removing nine items from the list. If there are any controversial items, those should be removed from the list and added to the next group of parcels. This item is meant to be for non-controversial items.

Art Marinaccio said the Johnsons were the original complainants of the Weber Creek Quarry and have been working to shut the facility down. Regarding the Bisagno parcel, the Agricultural policies were never to apply to parcels within a Community Region. If you are in a Community Region or Rural Center you cannot implement the policies if you cannot go below ten-acre parcels. Policy COE does direct when we have a Mineral Classification in hand it has to be implemented. The only concern with dealing with Weber Creek today is with the three acres of land from Greenstone that is being included with the quarry. Mr. Marinaccio wants to make sure the three acres is mapped into the Weber deposit.

Mr. Trout said the letter from the Johnsons wants the County to remove the Mineral overlay from the Weber Creek Quarry. That is not an advertised item today, and he is not making that recommendation.

Cindy Schaefer spoke on Item 68. This change does need to occur. They have made a pre-application to the County. They have been told by staff that property within and outside a Community Region cannot be put in one development plan. She just wanted the Commissioners to be aware that this pre-application will be coming before them soon.

Ray Skinner, Item 80, concurred with the proposal. He misunderstood what was happening. Mr. Skinner would like to have this item removed from the list today and considered later so he can look into the issue further.

There was no further input.

Paula Frantz, County Counsel, commented this item today was not meant to change any General Plan policies.

MOTION: COMMISSIONER MATHEWS, SECONDED BY COMMISSIONER MAC CREADY AND UNANIMOUSLY CARRIED, IT WAS MOVED TO FORWARD A RECOMMENDATION THAT THE BOARD OF SUPERVISORS TAKE THE FOLLOWING ACTION: 1. ACCEPT THE ADDENDUM PURSUANT TO CEQA GUIDELINES, SECTION

15164, AS ADEQUATE ENVIRONMENTAL REVIEW FOR THE PROJECT; 2. FIND THAT GENERAL PLAN AMENDMENT A06-0009 IS CONSISTENT WITH THE GENERAL PLAN; AND 3. APPROVE GENERAL PLAN AMENDMENT A06-0009 AS CONTAINED IN EXHIBIT C OF THE STAFF REPORT DATED MAY 24, 2007, AND DEPICTED ON THE OFFICIAL MAPS LABELED GENERAL PLAN MAP CORRECTIONS, SHEETS 1 THROUGH 15, AS AMENDED BY THE REMOVAL OF NUMBERS 9, 10, 72, 73, 74, 75, 76, 80, 85, AND 86, BASED ON THE FINDINGS PROPOSED BY STAFF.

Findings

1.0 CEQA findings

1.1 Pursuant to Section 15164 of the CEQA Guidelines, the project has been found consistent with the General Plan EIR (SCH 2001-082030) and an Addendum is appropriate to confirm that no new impacts would occur as a result of this set of 95 land use map amendments. The addendum consists of: Table A06-0009 (Exhibit C) and the “2004 General Plan Land Use Map Corrections Sheets 1 through 15” (Exhibit D) and these findings. All changes reflect minor amendments to the General Plan land use map and generally do not create any increase in development potential or intensity.

1.2: Section 15164 of the CEQA Guidelines states:

(a) The lead agency or responsible agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred.

(b) An addendum to an adopted negative declaration may be prepared if only minor technical changes or additions are necessary or none of the conditions described in Section 15162 calling for the preparation of a subsequent EIR or negative declaration have occurred.

(c) An addendum need not be circulated for public review but can be included in or attached to the final EIR or adopted negative declaration.

(d) The decision making body shall consider the addendum with the final EIR or adopted negative declaration prior to making a decision on the project.

(e) A brief explanation of the decision not to prepare a subsequent EIR pursuant to Section 15162 should be included in an addendum to an EIR, the lead agency's findings on the project, or elsewhere in the record. The explanation must be supported by substantial evidence.

Note: Authority cited: Public Resources Code Section 21083; Reference: Section 21166, Public Resources Code; *Bowman v. City of Petaluma* (1986) 185 Cal.App.3d 1065; and *Benton v. Board of Supervisors* (1991) 226 Cal.App.3d 1467.

Discussion: This section is designed to provide clear authority for an addendum as a way of making minor corrections in EIRs and negative declarations without recirculating the EIR or negative declaration.

- 1.2.1 The addendum is appropriate pursuant to Section 15164(a) because the County certified the Environmental Impact Report (EIR) for the General Plan. The General Plan EIR (SCH 2001-082030) was certified on July 19, 2004, by Resolution 234-2004 and upheld by referendum on March 15, 2005. The final disposition of outstanding litigation regarding the General Plan ended with a settlement agreement dated April 18, 2006. None of the circumstances described in Section 15162 apply, as described in Finding 1.2.2.
- 1.2.2 The addendum is appropriate pursuant to Section 15164(a) and 15164(e) since none of the three situations described in Section 15162 of the CEQA Guidelines applies to this project that would require the preparation of a subsequent EIR. The 95 land use map changes do not represent substantial changes in the General Plan EIR, do not create new significant impacts, and do not represent new information that changes conclusions in the General Plan EIR. The land use map changes do not create potential environmental impacts and represent minor adjustments to the land use map to correct oversights in the preparation of the land use map. The most potential for development intensity is described further in Finding 1.2.5.
- 1.2.3 The addendum is appropriate pursuant to Section 15164(c) and (d) because the addendum is provided for public review in the normal course of processing the General Plan Amendment A06-0009 to the Planning Commission and Board of Supervisors at public hearings.
- 1.2.4 Section 15162(b) does not apply to this addendum since an EIR was certified for the General Plan. Section 15162(b) only applies if a negative declaration was prepared.
- 1.2.5 The only changes that would be considered an increase in development intensity are those six parcels in the Camino area that are being changed to Commercial. In this case, the parcels were intended to remain a Commercial land use designation since they were zoned Commercial. Due to the small size of the six parcels (less than 10 acres total), the increase in commercial acreage would be statistically insignificant in comparison to the total impacts analyzed within the General Plan Environmental Impact Report. However, the parcels are currently zoned Commercial-Design Control (C-DC), meaning that any development would require a discretionary design review permit that would include further CEQA analysis on a project specific basis. Accordingly, the change in land use designation for these six parcels is considered to be consistent with the analysis in the General Plan EIR, and they will be subject to all applicable mitigation measures adopted with the 2004 General Plan and no new substantial impacts would result from the change in land use designation.

- 1.3 The documents and other materials that constitute the record of proceedings on which this decision is based are in the custody of the Development Services Department, Planning Services, 2850 Fairlane Court, Placerville, CA, 95667.

2.0 General Plan Consistency Finding

2.1 Community Region and Rural Boundary: Pursuant to Policies 2.1.1.6 and 2.1.2.6 the boundaries of existing Community Regions and Rural Centers may be modified through the General Plan amendment process. The series of amendments to the Community Region and Rural Center boundaries are to correct the adopted land use maps from minor errors in aligning land use designations with the Community Region and Rural Center boundaries. The changes do not represent the ongoing General Plan monitoring, review, and updates identified in Goal 2.9, Objective 2.9.1, or Policy 2.9.1.4. The amendment is not intended to restrict the County from approving future amendments to the Community Region and Rural Center boundaries in accordance with Policy 2.9.1.2, 2.9.1.3, and 2.9.1.4.

2.2. General Plan Policies: The amendments to the General Plan land use map are consistent with the policies of the 2004 General Plan, as described in the staff report. The proposed amendments bring the maps into conformance with the policies of the General Plan by correcting drafting errors. In most cases the changes do not affect the intensity of development of the lot. In the few cases where development intensity does increase, those small parcels or groups of parcels were designated in error on the 2004 General Plan maps, based on some of the reasons previously described under “Source of errors” in the staff report.

3.0 Administrative Findings:

3.1. Official Exhibits: The 95 lots proposed for land use designation changes are listed in Exhibit C: “A06-0009 General Plan Land Use Map Changes” and are graphically depicted on Exhibit D, a series of 15 large map sheets labeled: “2004 General Plan Land Use Corrections.”

3.2. Planning Commission Resolution of Intention: The Planning Commission initiated the General Plan Amendment process by passing Resolution of Intention No. 2007-0002 on February 22, 2007.

3.3. Planning Commission action: The General Plan Amendment project file A06-0009 was reviewed at a public hearing by the Planning Commission on May 24, 2007, and a recommendation of approval was forwarded to the Board of Supervisors.

3.4 Board of Supervisors action: The General Plan Amendment project file A06-0009 was considered at a public hearing by the Board of Supervisors on _____, 2007 where the Board acted to _____ the project.