

**EL DORADO COUNTY DEVELOPMENT SERVICES
STAFF REPORT**



Agenda of: November 9, 2006
Item No.: 11.a.
Staff: Peter Maurer

GENERAL PLAN AMENDMENT

FILE NUMBER: A06-0006

APPLICANT: El Dorado County Board of Supervisors

REQUEST: Amend the land use designation from MDR, Medium Density Residential, to C, Commercial.

LOCATION: On the east side of State Route 49, at the northerly intersection with Grand Fir Circle, in the Cool area. (Exhibit A)

APN: Portion of 071-280-51

ACREAGE: 1.05 acre northerly portion of the 3.39-acre parcel.

ZONING: General Commercial (Exhibit C)

ENVIRONMENTAL DOCUMENT: Negative Declaration, 2004 El Dorado County General Plan E.I.R.

SUMMARY RECOMMENDATION: Recommend approval

BACKGROUND: The zoning and General Plan land use designation of Commercial was established in 1993 as a result of a General Plan amendment and zone change application filed by the former owners of the property (AZ92-03/Ordinance 4292/Resolution No. 124-93.) The land use designation was retained with the adoption of the 1996 General Plan, based in part on the Planning Commission's direction to designate as Commercial all parcels that were zoned commercial. The site was also included in the Cool Rural Center. At that time, the maps were hand drawn, before the County's GIS mapping was fully in place. When the land use maps were digitized, it appears that the technician drew the line around the parcel that is part of the County right-of-way for Grand Fir Circle, rather than the northern 1.05 acre of the subject parcel. This error was identified in 2002, and an item was on the July 16, 2002, to correct Ordinance No. 4292, however, it was continued off-calendar when it was realized that the ordinance only applied to the zoning, and could not change the land use designation. The

County was also under the restrictions imposed by the General Plan lawsuit writ of mandate, so the change to the land use map could not be made at that time. Unfortunately, this was not picked up with the adoption of the 2004 General Plan, therefore, this amendment is required to make the correction. The Board of Supervisors initiated this amendment on April 18, 2006, with the adoption of Resolution No. 108-2006.

STAFF ANALYSIS

Project Description: Amendment to the land use designation for the northerly 1.05-acre portion of the 3.39-acre parcel identified by Assessor’s Parcel Number 071-280-51 from MDR, Medium Density Residential, to C, Commercial, to correct a mapping error that unintentionally did not carry over that previously approved amendment.

Site Description: The 1.05-acre subject portion is vacant and predominately covered by annual grasses. The only trees are six valley oaks (*Quercus lobata*) lining both sides of the driveway. The subject portion is surrounded on three sides by roads. To the south on the 2.34-acre portion of the parcel, which is not subject of this request, there is a single-family residence, barn, shop, and second residential unit surrounded by non-native sycamore trees. Knickerbocker Creek travels into the parcel from a culvert underneath Grand Fir Circle into the northeast corner and travels parallel to the driveway on the east parcel boundary then follows the southern boundary in a westerly direction and exits the parcel through a culvert under State Route 49. Knickerbocker Creek does not enter the 1.05-acre portion subject of this request.

Adjacent Land Uses:

	Zoning	General Plan	Land Use/Improvements
Site	CG	MDR	Vacant
North	CG	C	Vacant/Caltrans owned
South	R2A	MDR	Vacant
East	R3A	MDR	Single-family residence
West	R2A	MDR	Single-family residence

Discussion: The subject 1.05-acre portion of the 3.39-acre parcel identified by Assessor’s Parcel Number 071-280-51 is located on an island of land along with two other parcels and are isolated by being surrounded on all sides by roads. The parcel adjoining to the south is currently vacant, and the third parcel further to the south that shares the island contains a single-family residence. The parcels to the west and east across the roads have single-family residences combined with agricultural uses. The small parcel directly to the north is owned by Caltrans and is part of this right-of-way.

Policy 2.1.2.1 establishes Cool as a Rural Center. The subject 1.05-acre portion of the 3.39-acre parcel is located within the Cool Rural Center boundary. **Policy 2.1.2.2** directs that Rural Center boundaries establish areas of higher intensity development throughout the rural areas of the County based on the availability of infrastructure, public services, existing uses, parcelization, impact on natural resources,

etc. **Policy 2.1.2.3** directs that Rural Centers are intended to meet the commercial and service needs of the residents of the Rural Centers and Rural Regions, and the predominant land use type within Rural Centers shall be commercial and higher density residential development.

The prior approval and establishment of the zoning designation of General Commercial (CG) and the General Plan land use designation of Commercial (C) established the precedent for the consistency with these designations with those above stated policies seeking to meet the objectives of Rural Centers. The subject application is about correcting a mapping error, and the re-approval of the change in land use designation from Medium Density Residential to Commercial can be found to be consistent with General Plan directives today as it was in 1993. Support utilities and infrastructure are currently available at the site, and the impacts on natural resources were examined by an Initial Study that recommends approval of a Negative Declaration that tiered off information contained in the El Dorado County General Plan EIR, (EDAW, May 2003).

Zoning: The subject 1.05-acre portion of the 3.39-acre parcel identified by Assessor's Parcel Number 071-280-51 is currently zoned General Commercial. The purpose of Sections 17.32.170 through 17.32.220 direct that General Commercial designated land is intended to provide for the conduct of sales, storage, distribution, and light manufacturing businesses of the type which do not ordinarily cause more than a minimal amount of noise, odor, smoke, dust, or other factors tending to disturb the peaceful enjoyment of adjacent residential or agricultural land use zones; and further, to provide a close relationship between warehousing, distribution, and retail sales. Section 17.32.200 requires a minimum parcel size of 10,000 square feet. The General Plan land use of Commercial and the Zone District designation of General Commercial are listed as compatible on the 2004 General Plan Table 2-4 Consistency Matrix.

Section 17.14.130, Architectural Supervision, requires all parcels located on a State highway be subject to design review. Any future development proposal would have all potential environmental impacts analyzed further during the required design review process.

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 and tiering from the 2004 El Dorado County General Plan EIR, 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.

This General Plan amendment request is found to be de minimis (having no effect on fish and game resources).

RECOMMENDATION: Recommend approval