

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



Agenda of: December 11, 2014

Staff: Aaron Mount

GENERAL PLAN AMENDMENT/REZONE/PARCEL MAP

FILE NUMBER: A07-0015/Z07-0049/P06-0006/Noland Parcel Map

**APPLICANT/
OWNER:** Chad Noland

AGENT: John Wilbanks

ENGINEER: Lebeck Young Engineering Inc.

REQUEST: The project consists of the following requests:

1. General Plan Amendment amending the land use designation from Medium Density Residential (MDR) to Low Density Residential (LDR).
2. Zone change from Single-Family Three-Acre Residential (R3A) to Estate Residential Five-Acre (RE-5).
3. Parcel Map creating three parcels ranging in size from 5 to 8.5 acres.

LOCATION: The property is on the east and west side of Arundel Road, approximately 1,200 feet south of the intersection with Starkes Grade Road, in the Camino/Pollock Pines Community Region, Supervisorial District 2. (Exhibit A)

APN: 042-680-32 (Exhibit B)

ACREAGE: 18.84 acres

GENERAL PLAN: Medium Density Residential (MDR) (Exhibit C)

ZONING: Single-Family Three-Acre Residential (R3A) (Exhibit D)

ENVIRONMENTAL DOCUMENT: Negative Declaration

RECOMMENDATION:

Staff recommends the Planning Commission forward the following recommendations to the Board of Supervisors:

1. Adopt the Negative Declaration, based on the Initial Study prepared by staff;
2. Approve General Plan Amendment A07-0015 based on the Findings;
3. Approve Zone Change Z07-0049 based on the Findings; and
4. Conditionally approve Parcel Map application P06-0006, based on the Findings and subject to the Conditions of Approval as presented.

STAFF ANALYSIS: Staff has reviewed the project for compliance with the County's regulations and requirements. An analysis of the proposal and issues for Planning Commission's consideration are provided in the following sections.

Project Description:

1. General Plan amendment from Medium Density Residential (MDR) to Low Density Residential (LDR).

The General Plan amendment is being requested as higher density serving infrastructure is not yet available for the project site. The request is to reduce the density in order to reduce the level of planning and to find consistency with General Plan Policy 5.2.1.3, a mandatory and specific policy discussed below.

2. Zone change from Single-Family Three-Acre Residential (R3A) to Estate Residential Five-Acre (RE-5).

The zone change request is a consistency rezone with the requested General Plan amendment, Table 2-4 of the General Plan, and the proposed parcel sizes of the tentative Parcel Map.

3. Tentative Parcel Map creating three parcels ranging in size from five to 8.5 acres.

The parcel map (Exhibit F) would create three parcels that are consistent with the minimum five-acre parcel sizes required by both the requested General Plan Amendment and RE-5 Zone District development standards. The three proposed parcels ranging in size from five to 8.5 acres would be served by wells and individual septic systems. Access to the parcels would be by an existing driveway that would be developed to current road standards.

Site Description:

The elevation of the project parcel ranges from approximately 3,700 to 3,900-feet above sea level. The undeveloped site is dominated by conifer forest and mixed hardwoods with associated undergrowth.

Project Discussion:

Staff has analyzed the project in detail and has provided Conditions of Approval based on agency comments. Discussion items for this project include public water and Community Regions, traffic/circulation and fire safety, and Oak Woodland Habitat.

Public water and Community Regions: The requested General Plan amendment and zone change are required to bring the project into consistency with the following mandatory and specific policy:

Policy 5.2.1.3 All medium-density residential, high-density residential, multifamily residential, commercial, industrial and research and development projects shall be required to connect to public water systems when located within Community Regions and to either a public water system or to an approved private water systems in Rural Centers.

The project parcel is located within the Camino/Pollock Pines Community Region and is designated by the General Plan as Medium-Density Residential; therefore Policy 5.2.1.3 is applicable to the project site. The closest public water infrastructure is a water line located under Sly Park Road approximately 3,500 feet from the project parcel. Extending a water line to the project parcel would be cost prohibitive and have growth inducing consequences. Further, Policy 2.2.5.16 states that the level of planning for a project may be reduced by an accompanying request for General Plan amendment to reduce the density. The General Plan amendment request and associated zone change would bring the project into consistency with Policy 5.2.1.3.

The requested General Plan amendment would designate the parcel as Low Density Residential. General Plan Policy 2.2.1.2 states that the Low Density Residential land use designation is appropriate within Community Regions where higher density serving infrastructure is not yet available. The project is proposing individual wells for each parcel and a condition of approval requires a safe and reliable water supply prior to filing of the Parcel Map.

Traffic/circulation and fire safety: All parcels would have direct driveway access to a yet to be named road that connects to Arundel Road and is required to be developed to current road standards. Arundel Road is a dead-end road that is privately maintained and connects to Starkes Grade Road, a County maintained road. The proposed parcel map would be consistent with Title 14 Fire Safe Regulations for dead-end roadway length. The length of the access route from the project parcel to Starkes grade is approximately 1,200 feet which is less than the maximum allowed length of 2,640 feet for parcels zoned five to 19.99 acres. It is also less than the maximum allowed length of 1,320 feet for the adjacent parcels zoned for one to 4.99 acres. Additionally, Arundel Road does not serve more than 24 existing or potential parcels and does not exceed 2,640 feet as required by the Design and Improvements Standards Manual. Compliance with a Wildland Fire Safe Plan would be required for development of the proposed parcels and would ensure fire safe access at the time the proposed parcels are developed.

Oak Woodland Habitat: On May 6, 2008 the Board of Supervisors adopted the Oak Woodland Management Plan (OWMP) and its implementing ordinance, to be codified as Chapter 17.73 of the County Code (Ord. 4771. May 6, 2008.). A lawsuit was filed in El Dorado Superior Court on June 6, 2008 against the Oak Woodland Management Plan (OWMP). The OWMP was rescinded on September 4, 2012 (Resolution 123-2012) and its implementing ordinance was rescinded on September 11, 2012 (Ord. No. 4892). The current document implementing General Plan Policy 7.4.4.4 is the Interim Interpretive Guidelines for Oak Woodlands adopted November 9, 2006 and amended October 12, 2007

Consistent with the Interim Interpretive Guidelines for Oak Woodlands, the project is exempt from Policy 7.4.4.4 as the site does not contain oak woodlands. The interim Interpretive Guidelines defines oak woodlands as “A given unit of land, with one or more groupings of live trees, where the dominant species (i.e. a plurality) of the live trees within the groupings are native oaks (genus quercus)”. The Interim Interpretive Guidelines goes on to state, “Policy 7.4.4.4 is intended to apply exclusively to retention and replacement of oak canopy within oak woodlands”. The dominate species at the site are conifers, as confirmed by General Plan EIR Exhibit 5.12-1, California Wildlife Habitat Relationship System GIS Data, and site visits, and therefore the site does not meet the definition of oak woodlands and is exempt from Policy 7.4.4.4.

Zoning: The proposed zoning would be Estate Residential Five-Acre (RE-5). The project has been analyzed in accordance with County Code Section 17.28.210 (Development Standards). The parcel map as proposed is consistent with these development standards for parcel size and width. Compliance with setbacks, building coverage and building height would be reviewed at time of building permit application submittal.

Agency and Public Comments: Appropriate conditions from each reviewing agency are included in Attachment 2. The following agencies provided comments and/or conditions for this project:

El Dorado County Transportation Division
El Dorado County Environmental Management Division
El Dorado County Air Quality Management District
Office of the County Surveyor
Cal Fire
El Dorado County Fire Protection District

ENVIRONMENTAL REVIEW: Staff has prepared an Initial Study, (Environmental Checklist Form and Discussion of Impacts, included in the attached as Exhibit F). Based on the Initial Study, conditions have been added to the project to avoid or mitigate to a point of insignificance the potentially significant effects of the project. Staff has determined that there is no substantial evidence that the proposed project, as conditioned, would have a significant effect on the environment, and a Negative Declaration has been prepared.

This project is 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.). In accordance with State Legislation (California Fish and Game Code Section 711.4), the project is subject to a fee of \$2,156.25 after approval, but prior to the County filing the Notice of

Determination on the project. This fee, plus a \$50.00 administration fee, is to be submitted to Development Services and must be made payable to El Dorado County. The \$2,156.25 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.

SUPPORT INFORMATION

Attachments to Staff Report:

Conditions of Approval
Findings

Exhibit A.....Location Map
Exhibit B.....Assessors Map
Exhibit C.....General Plan Land Use Map
Exhibit D.....Zoning Map
Exhibit E.....Camino/Pollock Pines Community Region Map
Exhibit F.....Tentative Parcel Map
Exhibit G.....Slope Map
Exhibit H.....Parcel Map 47-139
Exhibit I.....County Maintained Road Map 8J15
Exhibit J.....Proposed Negative Declaration and Initial Study