

FROM THE MINUTES OF JULY 12, 2007

15. ZONE CHANGE (Public Hearing)

Z07-0006 submitted by CHARLES and SHARON EUBANKS to rezone property from Estate Residential Five-acre (RE-5) and Planned Commercial (CP) to General Commercial-Planned Development (CG-PD). The properties, identified by Assessor's Parcel Numbers 098-110-24 and -25, consisting of approximately six acres, are located on the northeast side of Pleasant Valley Road, 2.5 miles east of the intersection with State Route 49, in the **Diamond Springs area**, Supervisorial District III. (Negative declaration prepared)

Staff: Peter Maurer presented this item in the absence of Michael Baron and recommended approval to the Board of Supervisors.

Commissioner Machado commented Exhibit E does not indicate there are two parcels. The other exhibits do. It appears there is a lot line going through an existing structure. Mr. Maurer said that is usually cleaned up with the building permit.

Sharon Eubanks was present but had no additions to the staff report. There was no one else wishing to give input.

MOTION: COMMISSIONER MACHADO, SECONDED BY COMMISSIONER KNIGHT AND UNANIMOUSLY CARRIED, IT WAS MOVED TO FORWARD A RECOMMENDATION THAT THE BOARD OF SUPERVISORS ADOPT THE NEGATIVE DECLARATION, AS PREPARED, AND APPROVE Z07-0006 REZONING ASSESSOR'S PARCEL NUMBER 098-110-24 AND -25 FROM ESTATE RESIDENTIAL FIVE-ACRE (RE-5) AND PLANNED COMMERCIAL (CP) TO GENERAL COMMERCIAL-PLANNED DEVELOPMENT (CG-PD) BASED ON THE FINDING PROPOSED BY STAFF.

Findings

1.0 CEQA FINDING

- 1.1 The County has considered the negative declaration together with the comments received and considered during the public hearing process. The negative declaration reflects the independent judgment of the County and has been completed in compliance with CEQA, and is adequate for this proposal.
- 1.2 The proposed project could not have a significant effect on the environment.
- 1.3 The documents and other materials which constitute the record of proceedings upon which this decision is base are in the custody of Planning Services at 2850 Fairlane Court, Placerville, CA.

2.0 GENERAL PLAN FINDINGS

- 2.1 The proposed use is consistent with the policies of the 2004 El Dorado County General Plan, as discussed in the General Plan section of this staff report including Policies 2.2.1.2, Consistency with Commercial Land Use Designation; 2.2.1.3, Development Within Rural Centers; 2.2.5.5, Suitability; 5.1.2.1 and 5.1.2.3, Adequacy of Public Services and Utilities; 5.8.1.1; Affect on School Districts, 7.3.2.2; Erosion Control; Goal TC-X, Traffic Impacts; 2.1.2.3, Consistency with Existing Land Use Pattern; and 7.4.4.4, Protection of Oak Woodlands.

3.0 ZONING FINDINGS

- 3.1 The rezone is found to comply with the requirements of Chapter 17.06, and the proposed project is not considered detrimental to the public health, safety, and welfare, or injurious to the neighborhood, based on the conclusions contained in the staff report and the analysis of potential impacts in the Initial Study.
- 3.2 The site is physically suitable for commercial development based on availability of public water, access onto a County road, septic capability, and lack of significant site constraints within the developable areas of the site.