

**A09-0006/Z09-0012/Pierce Trust** – As approved by the Board of Supervisors on September 14, 2010

## **Findings**

Based on the review and analysis of this project by staff and affected agencies, and supported by discussion in the staff report and evidence in the record, the following findings should be made:

### **FINDINGS FOR APPROVAL**

#### **1.0 CEQA Findings**

- 1.1 El Dorado County has considered the Negative Declaration together with the comments received and considered during the public review process. The Negative Declaration reflects the independent judgment of the Planning Commission and has been completed in compliance with CEQA and is adequate for this proposal.
- 1.2 No significant impacts to the environment as a result of this project were identified in the initial study.
- 1.3 The documents and other materials which constitute the record of proceedings upon which this decision is based are in the custody of the Development Services Department - Planning Services at 2850 Fairlane Court, Placerville, CA, 95667.

#### **2.0 General Plan Findings**

- 2.1 The proposed General Plan Amendment from Medium Density Residential to Commercial is consistent with all applicable policies of the General Plan including 2.2.1.2 (land use type and density), 2.2.5.21 (land use compatibility), 2.5.2.1 (commercial facilities), 5.2.1.3 (public water system connection), 5.7.1.1 (fire protection), and 10.1.5.5 (retail development opportunity) because of the location in a Community Region, existing and proposed land use pattern near the site, development plan submittal requirement, the current availability of supporting utilities and infrastructure, proximity to emergency responders, and the County's intent to maintain an adequate supply of sites for retail opportunities.
- 2.2 In accordance with State law and pursuant to General Plan Policy 2.2.5.3, the County has evaluated the subject rezoning request based on the General Plan's general direction as to minimum parcel size or maximum allowable density and to assess whether changes in conditions are present that would support a higher density or intensity zoning district. The 19 specific criteria found within General Plan Policy 2.2.5.3 have been analyzed with regards to the above-referenced zone change request. Based on this analysis and the conclusions reached in the staff report, the site is found to be suitable to support the proposed density and use.

### **3.0 Zoning Findings**

- 3.1 A rezone to Professional Office Commercial – Planned Development will allow the property to be consistent with the proposed General Plan designation of Commercial.
- 3.2 The rezone will meet the intentions of Policy 2.2.5.2 because the establishment of a new zone designation of Professional Office Commercial – Planned Development (CPO – PD) and the ensuing uses it allows is consistent with the allowed uses intended by the Commercial (C) land use designation.
- 3.3 The rezone would meet the intentions of Policy 2.2.5.3 because the location in a Community Region, the current availability of supporting utilities and infrastructure, proximity to emergency responders, and the existing and proposed land use pattern.
- 3.4 The proposed project is consistent with the El Dorado County Zoning Ordinance designation of Professional Office Commercial (CPO) and the development standards within Section 17.32.040080.
- 3.5 The Board finds that the Professional Office Commercial-Planned Development (CPO-PD) Zone District is more restrictive than the Commercial-Planned Development (C-PD) Zone District and, therefore, the anticipated impacts associated with the zone change are adequately addressed in the Negative Declaration considered by the Planning Commission based on the Initial Study prepared by staff.