

## **FINDINGS**

### **Rezone Z15-0001/Parcel Map P15-0001/Dryden Planning Commission/November 12, 2015**

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 County and has been completed in compliance with CEQA and is adequate for this proposal.
- 1.2 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 Division, Planning Services, at 2850 Fairlane Court, Placerville, CA, 95667.

##### **2.0 GENERAL PLAN FINDINGS**

- 2.1 The project is consistent with the Adopted Plan (AP) land use designation of the subject site as defined by the Tahoe Regional Planning Agency's (TRPAs) Regional Plan, Plan Area Statements 148 and 150, and Code of Ordinances. As conditioned, the project is consistent with all applicable ordinances and rules of the TRPAs regulating documents.
- 2.2 As conditioned, and with adherence to the Zoning Ordinance, the project is consistent with all applicable Policies of the General Plan, including:
  - 2.2.1 Policy 2.2.5.3 (rezoning) because the rezone is not creating a higher density or intensity zoning district as the location of the zone boundary line is being adjusted to coincide with the Plan Area Statement boundary. Essentially, the existing commercial zoning is decreasing in size while the residential zoning is increasing.
  - 2.2.2 Policy 2.2.5.21 (compatibility with surroundings) because the project is not proposing any new development. The residential zoning is consistent with the neighboring residential parcels to the east and within the parcel, and the commercial zoning is located along Highway 89 where other commercial/recreational uses currently exist;
  - 2.2.3 Policy 5.1.2.1 (adequate utilities and public services) because the project will connect to existing public water and sewer, electrical, and telecommunication facilities currently existing within the State's right-of-way and throughout the property;
  - 2.2.4 Policy 6.2.3.2 (adequate access) because the project will utilize an existing paved circular driveway and 12 foot wide access road and will record a road easement over the front 20 feet of the commercial lots fronting Highway 89 and a 20 foot wide road and utility easement over the 12 foot wide road leading to the residential properties behind the commercial lots; and

- 2.2.5 Policy 2.10.1.1 (Tahoe basin) because the rezone would align the County's Zoning District boundaries with those boundaries of the TRPA's Plan Area Statements.

### **3.0 ZONING FINDINGS**

- 3.1 With an approved rezone of Tahoe Commercial (CT) to Tahoe One-family Residential (TR1), the realigned zoning district boundaries will be consistent with the Plan Area Statements 148 and 150 of the TRPA's Tahoe Regional Plan. The TR1 Zoning District permits the proposed parcel size of 15.42 acres under Section 130.56.040.A.
- 3.2 The existing residential use at the subject site is permitted by right under Section 130.56.040.A and the existing commercial uses are planned for demolition. Future commercial uses on the three CT zoned parcels will be required to comply with Section 130.58.020 or 030 at time of building permit. As proposed, and with an approved rezone, the project meets all applicable development standards contained within Sections 130.56.040 and 130.58.040 of the Zoning Ordinance.

### **4.0 PARCEL MAP FINDINGS**

- 4.1 **The proposed tentative map, including design and improvements, is consistent with the General Plan** because any necessary improvements have been considered by the reviewing agencies to determine that, with an approved rezone to TR1, this Tentative Parcel Map is consistent with the policies of the General Plan and the Tahoe Regional Plan, as analyzed and described in the Staff Report and the General Plan Findings above.
- 4.2 **The proposed Parcel Map conforms to the applicable standards and requirements of the County's zoning regulations and Minor Land Division Ordinance** because as proposed, conditioned, and with approved design waivers of the DISM and an approved rezone to TR1, the Tentative Parcel Map conforms to the development standards within the TR1 and CT zone districts and the Minor Land Division Ordinance.
- 4.3 **The site is physically suitable for the proposed type and density of development** because the project does not propose any new development. Three commercial buildings will be demolished and at some point in the future as many as three new commercial buildings could be developed with County and TRPA permits. The project avoids disturbances to slopes in excess of 30 percent and is compatible within the surrounding land uses in the project vicinity. The proposed project, as conditioned, meets the density and minimum parcel sizes allowed in the development standards of the TR1 and CT zone districts.
- 4.4 **The proposed subdivision is not likely to cause substantial environmental damage** because the proposed Parcel Map is not anticipated to cause substantial environmental damage as conditions of approval have been included that reduce the potential for the project to cause significant effects on the environment to insignificant levels. The project site includes a residential unit and three dilapidated commercial structures with existing supporting access roadways, electrical, sewer, water, and telephone facilities available to the site. No additional development is proposed at the project site. Demolition of the commercial structures will require a building permit to ensure there will be no environmental damage.