

**COUNTY OF EL DORADO
PLANNING AND BUILDING DEPARTMENT
PLANNING COMMISSION
STAFF REPORT**



Agenda of: June 27, 2019

Staff: Emma Carrico

GENERAL PLAN AMENDMENT/REZONE

- FILE NUMBER:** A18-0001/Z18-0001/Bado
- APPLICANT:** Paul Bado
- REQUEST:** General Plan Amendment to change the land use designation of an existing 1.41 acre lot from Commercial (C) to Medium Density Residential (MDR) and rezone from Commercial, Main Street (CM) to One-acre, Residential (R1A).
- LOCATION:** East side of Hwy 193, approximately 300 feet south of the intersection with Prospect Hill Road, in the Georgetown area, Supervisorial District 4. (Exhibit A)
- APN:** 061-200-06 (Exhibit B)
- ACREAGE:** 1.41 acres
- GENERAL PLAN:** Commercial (C) (Exhibit C)
- ZONING:** Commercial, Main Street (CM) (Exhibit D)
- ENVIRONMENTAL DOCUMENT:** Negative Declaration (Exhibit G)
- RECOMMENDATION:** Staff recommends the Planning Commission forward a recommendation to the Board of Supervisors to take the following actions:
1. Adopt the Negative Declaration based on the Initial Study prepared by staff;
 2. Approve General Plan Amendment A18-0001 based on the Findings as presented; and
 3. Approve Rezone Z18-0001 based on the Findings as presented.

EXECUTIVE SUMMARY

Approval of this general plan amendment and zone change would rezone an existing 1.41 acre lot from Commercial, Main Street (CM) to One-acre, Residential (R1A) and amend the land use designation from Commercial (C) to Medium Density Residential (MDR). No development is proposed as a part of the general plan amendment or zone change. Staff has determined that the proposed project is consistent with minimum parcel size requirements, land use and zoning designation compatibility, and all other applicable El Dorado County General Plan policies and Zoning Ordinance requirements, as discussed in the Findings.

Background: This project was previously heard by the Planning Commission under Legistar item #18-1186 on the agenda of August 23, 2018. The item was continued off calendar at the recommendation of County Counsel due to ongoing litigation regarding the TGPA/ZO Update and wildfire hazards. The case was closed in March, allowing for this project to be rescheduled for Planning Commission hearing.

PROJECT INFORMATION

Site Description: The parcel is located on a Highway 193 surrounded by single-family residential and civic uses. The parcel is vacant and covered in a variety of shrubbery and trees, including oak trees. Topography slopes down toward the east, with an elevation change of approximately 15 feet. The eastern portion of the parcel is encumbered by a GDPUD drainage ditch of approximately six feet across. The project site is the southernmost parcel with a zoning designation of Commercial, Main Street (CM) in a corridor of parcels with CM zoning along Highway 193 and Main Street in Georgetown.

Project Description: The applicant requests a general plan amendment and zone change to rezone the existing 1.41 acre lot from Commercial, Main Street (CM) to One-acre, Residential (R1A) and amend the land use designation from Commercial (C) to Medium Density Residential (MDR). No development is proposed as a part of the general plan amendment or zone change. Future ministerial development under the proposed R1A zoning designation could include up to two single family residences and accessory structures such as a garage, workshop, or barn. Future discretionary development in the proposed R1A zoning designation could consist of a variety of uses including but not limited to; a community care facility of seven or more, lodging facilities such as a bed and breakfast, civic uses such as a church or cemetery, and telecommunications facilities. Any future discretionary development would require an application subject to analysis for conformance with CEQA, the El Dorado County General Plan and Zoning Ordinance, and all other applicable County standards.

The applicant has provided a project narrative detailing why he is requesting the zone change and general plan amendment. The parcel has a public utility easement and PG&E power lines running across the front property line (Exhibit F). There is also a GDPUD drainage easement and ditch which runs across the eastern corner of the parcel. Both of these easements limit building sites on the property such that large commercial development may be improbable, but smaller residential use is more feasible. The applicant has also provided a statement from his realtor explaining that the property has been listed for sale since October of 2016, with several buyers

discovering that the property does not have the development capability for their commercial projects.

Consistency: As discussed in General Plan findings, the project is consistent with General Plan policies 2.2.1.2 Land Use Designation; 2.2.5.21 requiring that development projects be located and designed in a manner that avoids incompatibility with adjoining land uses; 5.1.2.1 requiring a determination of the adequacy of the public services and utilities to be impacted by that development; 5.2.1.2 requiring that adequate quantity and quality of water for all uses, including fire protection, be provided with proposed development; and 6.2.3.2 requiring that the applicant demonstrate that adequate access exists. As discussed in the Zoning findings, the project is consistent with the zoning designation, Chapter 130.35: Off-Street Parking and Loading, Chapter 130.36: Signs, and Chapter 130.37: Noise Standards. The project is a general plan amendment and zone change only, no development is proposed, thus no Conditions of Approval are imposed.

ENVIRONMENTAL REVIEW

Staff has prepared an Initial Study (Exhibit G). There is no substantial evidence that the proposed project would have a significant effect on the environment, and a Negative Declaration (Exhibit G) has been prepared.

The applicant shall submit to Planning Services a \$50.00 recording fee and the current Department of Fish and Wildlife fee prior to filing of the Notice of Determination by the County. Please submit check for the total amount to Planning Services and make the check payable to El Dorado County. No permits shall be issued until said fees are paid.

SUPPORT INFORMATION

Attachments to Staff Report:

Findings

Exhibit A.....Location Map
Exhibit B.....Assessor’s Parcel Map
Exhibit C.....Land Use Designation Map
Exhibit D.....Zoning Designation Map
Exhibit E.....Aerial Map
Exhibit F.....Site Plan
Exhibit G.....Proposed Negative Declaration and Initial Study