

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



Agenda of: July 13, 2017

Staff: Evan Mattes

REZONE

FILE NUMBER: Z16-0009/Anderson

APPLICANT/OWNER: Robert and Anita Anderson

REQUEST: Rezone property from Single-unit Residential (R1) to Three-acre Residential (R3A).

LOCATION: South end of Sleigh Bell Lane, approximately 130 feet south of the intersection with Santa Claus Drive, in the Christmas Valley area, Supervisorial District 5 (Exhibit A).

APN: 036-530-28 (Exhibit B)

ACREAGE: 4.378 acres

GENERAL PLAN: Adopted Plan (AP) (Exhibit C)

ZONING: Single-unit Residential-Tahoe (R1-T) (Exhibit D)

ENVIRONMENTAL DOCUMENT: Exempt pursuant to Section 15061(b)(3) of the California Environmental Quality Act (CEQA) Guidelines (General Rule)

RECOMMENDATION: Staff recommends the Planning Commission recommend the Board of Supervisors take the following actions:

1. Find that the project is Exempt pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15061(b)(3); and
2. Approve Z16-0009 rezoning Assessor's Parcel Number 036-530-28 from Single-unit Residential (R1) to Three-acre Residential (R3A) based on the Findings presented.

EXECUTIVE SUMMARY:

Approval of this rezone would change the zoning of the subject site from Single-unit Residential-Tahoe (R1-T) to Three-acre Residential-Tahoe (R3A-T). The applicant is requesting the rezone in order to allow for animal raising and keeping, horses in particular, on the site by right. However, according to Table 130.24.020, Residential Zone Use Matrix and Section 130.40.080, Animal Raising and Keeping, only small animals are allowed in the R1-T zone. The R3A-T zone allows apiaries, small animals, medium animals, and large animals. Prior to the Targeted Zoning Ordinance Update adopted December 15, 2015, the project site was split zoned Tahoe Single-Unit Residential (TR1) and Tahoe Agriculture (TA). The project is located within the Tahoe Regional Plan Agency (TRPA) Plan Area Statement for the Christmas Valley. The Plan Area Statement for the Christmas Valley identifies domestic animal raising as a permissible use with the approval of a Special Use, allowing for additional review within the TRPA for uses allowed within the R3A-T zoning designation. Any future development would need to be analyzed by the County of El Dorado, TRPA, and the Lahontan Regional Water Quality Control Board (LRWQCB) for compliance with all applicable zoning regulations and the TRPA lot coverage, Stream Evaluation Measures and Erosion Control Measures. Staff has determined that the proposed project is consistent with the R3A-T zone, as well as other applicable El Dorado County Zoning Ordinance requirements and General Plan policies, as discussed in the Findings.

SITE DESCRIPTION:

The site is located in the Christmas Valley Area. The parcel is 4.378 acres and is located on Sleighbell Lane near Highway 89. The site contains pine and cedar trees, existing primary and secondary residential structures and an existing barn. The existing buildings are served by the South Tahoe Public Utility District water and sewer. Other R1-T residential properties are in the vicinity and immediately east of the site, Estate Residential Five-Acre-Tahoe (RE-5-T)-zoned parcels are to the south of the parcel, and Forest Resource 160-Acre-Tahoe zoned parcels are to the north and west of the site.

PROJECT DESCRIPTION:

The proposed rezone would change current zoning of the property from Single-unit Residential-Tahoe (R1-T) to Three-acre Residential-Tahoe (R3A-T), which is consistent with the High Density Residential General Plan Land Use Designation. No physical change or impacts would be associated with the rezone. Staff has determined that the proposed project is consistent with the R3A zone, as well as other applicable El Dorado County Zoning Ordinance requirements and General Plan policies, as discussed in the Findings.

CONSISTENCY:

As discussed in the Findings, staff has determined that the proposed project, as conditioned, is consistent with the Adopted Plan (AP) land use designation. The project site contains an existing house is currently situated 15 feet from the rear property line. The rezone from R1-T to R3A-T would create a legal non-conforming structure as the applicable rear setback would increase from 15 feet to 30 feet. While the rezone from R1-T to R3A-T would create a legal non-conforming

structure, planning staff finds that the nature of the project site and the surrounding parcels is more consistent with the medium density residential land uses allowed within the R3A zoning designation as opposed to the high density residential uses allowed within the current R1 zoning designation. Staff recommends that the proposed project is found to be consistent with the El Dorado County General Plan and Subdivision Ordinance.

ENVIRONMENTAL REVIEW:

Staff has determined that the proposed project would not have a significant effect on the environment and the project is Exempt pursuant to CEQA Guidelines Section 15061(b)(3), the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment.

SUPPORT INFORMATION

Findings

- Exhibit A.....Location Map
- Exhibit B.....Assessor’s Parcel Map
- Exhibit C.....General Plan Land Use Map
- Exhibit D.....Current Zoning Map
- Exhibit E.....Proposed Zoning Map
- Exhibit F.....Aerial Map
- Exhibit G.....TRPA Plan Area Statements; 137-Christmas Valley