



# COMMUNITY DEVELOPMENT SERVICES

## PLANNING AND BUILDING DEPARTMENT

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TO: Planning Commission Agenda of: June 28, 2018

FROM: Mel Pabalinas, Principal Planner

DATE: June 4, 2018

RE: GOV18-0005 / 40 and 50 Old Depot Court Property Acquisition; Finding of Consistency with the General Plan; APNs: 327-250-37 and -38

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### **Recommendation**

The Community Development Services, Planning and Building Department recommends the Planning Commission find the County acquisition of a 2.08-acre property for public recreational park purposes to be consistent with the General Plan, pursuant to Government Code Section 65402.

### **Background**

In accordance with Government Code Section 65402, this Findings of Consistency to the General Plan request was filed by the County Administrative Office (CAO)-Facilities Division on May 15, 2018 following the Board of Supervisors approval of the Purchase and Sale Agreement (PSA) of 40 and 50 Old Depot Court properties (Exhibit A). The request is being forwarded for the Planning Commission's consideration within the required 40-day timeframe during which the County will continue its 90-day due diligence as part of the acquisition process.

The acquisition negotiations were initiated in March 2016. The 2.08-acre vacant property was identified as an ideal site for a park given its close proximity to Herbert Green Middle School and accessibility to the El Dorado Trail. Given its size and location, the site could be designated as a neighborhood park which would serve the residents of the Diamond Springs/El Dorado area, but may also function as a Regional Park as it could potentially accommodate a bicycle park. A conceptual plan detailing the anticipated design and improvements of the park is in the process of completion and shall be presented at a later date.

Exhibits B-F depicts the location and land use and zoning designation of the property.

### **General Plan Consistency**

Pursuant to Government Code 65402 (Restrictions on acquisition and disposal of real property), the acquisition or sale of a property by a public agency must be reviewed by the planning agency for consistency with the General Plan. The planning agency for El Dorado County is the Planning Commission. The Commission must make a determination whether the proposed acquisition of the 2.08 acre property is consistent with the General Plan.

Though a recreational park is not specifically identified as a use under Industrial land use and zoning designations, the acquisition of the subject property for a park use is consistent and supported by various policies of the General Plan, as discussed below. To ensure consistency, an amendment to the underlying land use and zoning designation to Recreational Facility may be required, subject to a County initiated General Plan Amendment and Rezone.

**General Plan (Public Services and Utilities Element) Policy 5.1.1.1:** The County, in cooperation with other affected service providing agencies, shall develop long-range facilities plans for public services and utilities including water supply, wastewater treatment and disposal, solid waste disposal capacity, storm drainage, and schools. The Capital Improvement Program (CIP) for the County road system shall be coordinated with the infrastructure plan of the above services and utilities.

Rationale: The acquisition of the property for recreational park use is consistent with County’s Park and Trails Master Plan.

**General Plan (Open Space and Conservation Element) Policy 7.3.5.3:** The County Parks and Recreation Division shall use drought tolerant landscaping for all new parks and park improvement projects.

Rationale: In accordance with the Parks and Trails Master Plan, the recreational park shall be designed to include drought tolerant landscaping, where applicable.

**General Plan (Parks and Recreation Element) Policy 9.1.1.1:** The County shall assist in the development of regional, community, and neighborhood parks, ensure a diverse range of recreational opportunities at a regional, community, and neighborhood level, and provide park design guidelines and development standards for park development. The following national standards shall be used as guidelines for the acquisition and development of park facilities:

<b>Guidelines For Acquisition and Development of Park Facilities</b>	
<b>Park Types</b>	<b>Developed</b>
Regional Parks	1.5 ac/1,000 population
Community Parks	1.5 ac/1,000 population
Neighborhood Parks	2.0 ac/1,000 population
<i>Specific Standards (Neighborhood and Community Parks)</i>	
Cameron Park Community Services District	5.0 ac/1,000 population
El Dorado Hills Community Services District	5.0 ac/1,000 population
Planned Communities	5.0 ac/1,000 population

The parkland dedication/in-lieu fees shall be directed towards the purchase and funding of neighborhood and community parks.

Rationale: Given its size, the property is anticipated to be built as a neighborhood park; however, depending on the contemplated improvements, the park could potentially be considered a regional park. Funds from park-in lieu fees and/or General Fund shall be used for the acquisition of the property.

**General Plan (Parks and Recreation Element) Policy 9.1.1.2:** Neighborhood parks shall be primarily focused on serving walk-to or bike-to recreation needs. When possible, neighborhood parks should be adjacent to schools. Neighborhood parks are generally 2 to 10 acres in size and may include a playground, tot lot, turf areas, and picnic facilities.

Rationale: In accordance with the Parks and Trails Master Plan, the proposed park could include picnic facilities, turf areas, and play structures.

**General Plan (Parks and Recreation Element) Policy 9.1.1.6:** The primary responsibilities of the County as a recreation provider shall be the establishment and provision of a regional park system to serve the residents of and visitors to the County.

Rationale: Acquisition and construction of the 2.08-acre property as a park would implement the park and recreational policies of the General Plan and standards of the Parks and Trails Master Plan.

**General Plan (Parks and Recreation Element) Policy 9.2.2.6:** The County shall actively pursue lands that can be transferred to the County from Federal, State, and other ownerships suitable and needed for public use.

Rationale: The County has initiated the process to acquire the 2.08-acre property to be used for recreational park.

## **RECOMMENDATION**

Staff recommends the Planning Commission make the findings of General Plan consistency, pursuant to Government Code Section 65402, because the acquisition of 2.08-acre property identified as 40 and 50 Old Depot Court (APNs 327-250-37 and -38) is consistent with the applicable policies of the General Plan.

## **EXHIBITS**

- Exhibit A .....Findings of Consistency Request and Purchase and Sale Agreement documents
- Exhibit B .....Location Map
- Exhibit C .....Aerial Photo
- Exhibit D .....Assessor's Parcel Map
- Exhibit E.....General Plan Land Use Map
- Exhibit F.....Zoning Map