

# DEVELOPMENT SERVICES DEPARTMENT

COUNTY OF EL DORADO

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TO: Planning Commission Agenda of: May 27, 2010

FROM: Jason R. Hade, AICP, Senior Planner Item No.: 4.d

DATE: May 17, 2010

**RE: A09-0006/Z09-0012/Pierce Trust; Revised Attachment 1 – Findings for Denial**

## **Background:**

At the Planning Commission hearing of May 13, 2010, the Planning Commission conceptually denied the subject application and directed staff to return to the Planning Commission on May 27, 2010, with revised findings which are attached.

## **Recommendation:**

Staff recommends the Planning Commission forward the following recommendation to the Board of Supervisors:

1. Find that the project is Statutorily Exempt pursuant to CEQA Guidelines Section 15270 (a);
2. Deny General Plan amendment application A09-0006 based on the findings in Revised Attachment 1; and
3. Deny Rezone application Z09-0012 based on the findings in Revised Attachment 1.

## **Attachment:**

Revised Attachment 1 – Findings

## **REVISED ATTACHMENT 1** **FINDINGS FOR DENIAL**

### **General Plan Amendment and Rezone A09-0009/Z09-0012/Pierce Trust May 27, 2010 Planning Commission Hearing**

#### **FINDINGS FOR DENIAL**

##### **1.0 CEQA Findings**

- 1.1 The project is found to be Statutorily Exempt from CEQA pursuant to Section 15270 (a) project disapproval which states that CEQA does not apply to projects which a public agency rejects or disapproves.
- 1.2 The Planning Commission finds that disapproval of the proposed project could not have a significant effect on the environment.
- 1.3 The documents and other materials which constitute the record of proceedings upon which this decision is based are in the custody of Planning Services at 2850 Fairlane Court, Placerville, CA.

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

- 2.1 The proposed General Plan Amendment from Medium Density Residential to Commercial is inconsistent with General Plan policy 2.2.5.21 (land use compatibility) because no development plan was submitted in conjunction with the General Plan amendment and Rezone request. As such, compatibility with surrounding land uses cannot be determined.
- 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. The proposal is inconsistent with Policy 2.2.5.3 as the capacity of the transportation system serving the area is insufficient to serve future commercial development at the project site. The subject site also lacks an adequate connection to Missouri Flat Road.

##### **3.0 Zoning Findings**

- 3.1 The zoning amendment cannot be approved if the General Plan land use designation is not modified from MDR to C since the Commercial zone is not consistent with the MDR land use designation.