

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



**Agenda of:** December 14, 2017

**Staff:** Michael Concepcion

**GENERAL PLAN AMENDMENT/REZONE**

**FILE NUMBERS/**

**PROJECT NAME:** A17-0001/Z17-0003/Oliver

**APPLICANT/AGENT:** Danny Oliver, representative for Veritas Capital, LLC

**PROPERTY OWNER:** Veritas Capital, LLC

**REQUEST:** Amend the General Plan land use designation for an existing 0.25-acre developed lot from Commercial (C) to High Density Residential (HDR) and rezone that lot from Commercial Limited (CL) to Single-Unit Residential (R1). The existing 1,422-square foot building used for a daycare will be converted to a single-family dwelling under the same footprint.

**LOCATION:** On the north side of Blanchard Road, approximately 500 feet east of the intersection with Motherlode Drive, in the El Dorado/Diamond Springs area, Supervisorial District 3. (Exhibit A)

**APN:** 329-162-59

**ACREAGE:** 0.25 acre

**GENERAL PLAN:** Commercial (C) (Exhibit C)

**ZONING:** Commercial Limited (CL) (Exhibit D)

**ENVIRONMENTAL**

**DOCUMENT:** Negative Declaration prepared in compliance with Section 15070 of the CEQA Guidelines.

**RECOMMENDATION:** Staff recommends that 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 A17-0001 based on the Findings presented; and
3. Approve Rezone Z17-0003 based on the Findings presented.

**BACKGROUND**

The existing 1,422-square foot one-story building was built in 1980. In 1998, an electrical permit for a commercial service panel for the kitchen area was finalized for the daycare. In 2002, an electrical permit to change out the service panel like for like was finalized. In 2005, a Code Enforcement Case (#169714) was opened due to an unpermitted play structure built without a permit. The play structure was subsequently removed and the code enforcement case was closed later that year.

**STAFF ANALYSIS**

**Project Description:** Danny Oliver, applicant/agent representing Veritas Capital, LLC, requests to amend the General Plan land use designation for an existing 0.25-acre parcel from Commercial (C) to High Density Residential (HDR) and to rezone that parcel from Commercial Limited (CL) to Single-Unit Residential (R1). The existing daycare facility will be converted into a single-family dwelling use under the same footprint.

**Site Description:** The parcel is located in the community region of El Dorado/Diamond Springs on Blanchard Road. The street consists primarily of single-family residences, vacant single-family residential parcels, and a church. The parcel has various trees and landscaping on the property including native oaks. The driveway is accessed from Blanchard Road. The topography is flat.

**Adjacent Land Uses:**

	<b>Zoning</b>	<b>General Plan</b>	<b>Land Use/Improvements</b>
<b>Site</b>	CL	C	Daycare building
<b>North</b>	CL	C	Single-family residence
<b>South</b>	R1	HDR	Vacant single-family property
<b>East</b>	R1	HDR	Single-family residences
<b>West</b>	CC	C	Church

**General Plan:**

*Policy 2.2.1.2: High Density Residential (HDR)*

Discussion: This designation identifies areas suitable for intensive single-family residential development at densities from one to five dwelling units per acre. Allowable residential structure types include single-family attached and detached dwellings and manufactured homes. This designation is considered appropriate only within Community Regions and Rural Centers. The parcel is immediately surrounded by single-family residential and civic uses. As defined, the parcel is consistent with development within the HDR land use designation.

*Policy 2.2.5.2: General Plan and zoning boundary amendments and consistency with the General Plan*

Discussion: The applicant is requesting a zone change for a daycare use to be converted into a single-family residential use consistent with single-family residential and supporting civic and limited commercial uses in the surrounding area. In order for the rezone to be consistent with the General Plan, a land use amendment is being requested to amend the Commercial (C) land use designation to High Density Residential (HDR).

*Policy 2.2.5.3: Rezoning evaluation criteria.*

Discussion: This policy requires the County to evaluate future rezoning based on: (1) The General Plan’s direction as to minimum parcel size or maximum allowable density; and (2) Changes in conditions that would support a higher density or intensity zoning district. The following criteria are used to evaluate any rezoning that would either increase residential density or support a more intense use of the land. The minimum parcel size of 6,000 square feet under the proposed R1 zone is adequately met by the 0.25-acre parcel. The conversion of the day care center into a single-family residence is consistent with the HDR land use designation allowing densities from 1 to 5 dwelling units per acre under Policy 2.2.1.2. The specific criteria to be considered also include the following:

<b>Criteria</b>	<b>Consistency</b>
1. <i>Availability of an adequate public water source or an approved Capital Improvement Project to increase service for existing land use demands.</i>	<b>Consistent:</b> The project parcel is within the El Dorado Irrigation District (EID) boundary and is currently connected to a public water system that services the unit.
2. <i>Availability and capacity of public treated water system</i>	
3. <i>Availability and capacity of public waste water treatment system.</i>	<b>Consistent:</b> The parcel will remain connected to the existing public sewer system.
4. <i>Distance to and capacity of the serving elementary and high school.</i>	<b>Consistent:</b> The parcel is less than 1.5 miles from the nearest elementary school, less than 1.1 miles from the nearest middle school, and less than 1.6 miles from the nearest high school, acceptable distances considering the rural nature of the surrounding school district. Due to the minor increase in residential use, the rezone will not require additional school capacity.
5. <i>Response time from nearest fire station handling structure fires.</i>	<b>Consistent:</b> The nearest fire hydrant is less than 800 feet from the parcel and the nearest fire station is less than 1.25 miles from the parcel, so the level of service minimum response time of eight minutes for 80% of the population, as designated in Table 5-1 (Minimum Levels of Service) will be maintained.
6. <i>Distance to nearest</i>	<b>Consistent:</b> The site is located within the Community

<i>Community Region or Rural Center.</i>	Region of El Dorado/Diamond Springs and its immediate surroundings.
7. <i>Erosion hazard.</i>	<b>Consistent:</b> No grading is being proposed with the amendment application as the building and infrastructure currently exists on site.
8. <i>Septic and leach field capability.</i>	<b>Consistent:</b> Not applicable as the parcel will remain connected to the existing public sewer system.
9. <i>Groundwater capability to support wells.</i>	<b>Consistent:</b> See Responses (1-2).
10. <i>Critical flora and fauna habitat areas.</i>	<b>Consistent:</b> The parcel is located in Rare Plant Mitigation Area 2. All existing trees will remain and will not be adversely affected.
11. <i>Important timber production areas.</i>	
12. <i>Important agricultural areas.</i>	
13. <i>Important mineral resource areas.</i>	
14. <i>Capacity of the transportation system serving the area.</i>	<b>Consistent:</b> The parcel is accessed directly off of a public and County-maintained road. The change from a daycare use to a single-family residential use will reduce traffic counts.
15. <i>Existing land use pattern.</i>	<b>Consistent:</b> The rezone will maintain conformity to the existing and predominant land use pattern of residential and supporting civic and commercial uses within the surrounding area.
16. <i>Proximity to perennial watercourse.</i>	<b>Consistent:</b> No perennial water course exists in close proximity to the project parcel.
17. <i>Important historical/archeological sites.</i>	<b>Consistent:</b> No grading or construction other than internal tenant improvements and general maintenance will be required as a result of uses allowed under the General Plan and zone amendments.
18. <i>Seismic hazards and present of active faults.</i>	
19. <i>Consistency with existing Covenants, Conditions, and Restrictions.</i>	<b>Consistent:</b> No Covenants, Conditions, and Restrictions (CC&Rs) are recorded on the project parcel.

The subject parcel is surrounded by single-family residential uses to the north and east, a vacant single-residential parcel to the south, and a civic church use (Highway Bible Church) to the west. Blanchard Road consists primarily of single-family residential uses. The proposed residential use of the building will be more compatible with the predominant residential development fronting Blanchard Road.

Conclusion: As discussed above, staff finds that the project, as proposed, conforms to the General Plan.

**Zoning:**

*Section 130.24.030: Single-unit Residential (R1) Standards*

New development within the Single-unit Residential (R1) zone would require a minimum lot size of 6,000 square feet, a minimum lot width of 60 feet, and a maximum height of 40 feet. Existing development and project parcel dimensions meet these development standards (Exhibit E) so that no nonconformity in use or development will be created as a result of the rezone.

*Section 130.35.030: Off-street Parking and Loading Requirements*

A minimum of two off-street parking spaces would be required to accommodate the single-family residential unit. The existing parcel currently has 4 paved spaces in compliance with this requirement.

Conclusion: As discussed above, staff finds that existing development on the parcel conforms to proposed zone standards and parking requirements under the Zoning Ordinance.

**Agency and Public Comments:**

These agencies had no specific concerns regarding the proposed amendments:

Community Development Agency

- Transportation Division
- Environmental Management Division: Health, Solid Waste and Hazardous Materials

Surveyors Office

El Dorado County Fire Protection District

At the time of the preparation of this report, staff had not received any comments from the public. New issues may arise as a result of the public notice of the hearing which will be discussed at that time.

**ENVIRONMENTAL REVIEW**

Staff has prepared an Initial Study (Environmental Checklist with Discussion attached) to determine if the project has a significant effect on the environment. Based on the Initial Study, staff has determined that there is no substantial evidence that the proposed project will have a significant effect on the environment, and a Negative Declaration has been prepared in compliance with Section 15070(a) of the CEQA Guidelines.

## SUPPORT INFORMATION

### Attachments:

Findings

Exhibit A.....Location Map

Exhibit B.....Assessor's Parcel Map

Exhibit C.....General Plan Land Use Map

Exhibit D.....Zoning Map

Exhibit E.....Site Plan

Exhibit F.....Proposed Negative Declaration and Initial Study