

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



Agenda of: July 11, 2019

Staff: Michael Nihan

GENERAL PLAN AMENDMENT/REZONE

FILE NUMBER: GPA19-0001/Z19-0003

APPLICANT: County of El Dorado

REQUEST: **General Plan Amendment (GPA19-0001)** to amend the General Plan Land Use Map (Figure LU-1: Land Use Diagram) to change the land use designations of a portion (approximately 0.77 acres) of an existing parcel (Assessor Parcel Number 104-250-010) from Multifamily Residential (MFR) to Commercial (C) and a portion (approximately 5.8 acres) of an existing parcel (Assessor Parcel Number 070-250-070) from Medium-Density Residential (MDR) to Commercial (C); and to **Rezone (Z19-0003)** 25 parcels as described below.

LOCATION: **General Plan Amendment:** The land use map changes are located in the Pilot Hill Area (APN 104-250-010) and Shingle Springs Area (APN 070-250-070); and **Parcel-Specific Rezones:** The 25 parcels are located in the Greenwood Area (Supervisory District 4) – Assessor’s Parcel Numbers 074-100-029, 074-100-041, 074-100-046, 074-100-050; Meeks Creek Area (Supervisory District 5) - Assessor’s Parcel Numbers: 016-041-006, 016-261-001, 016-261-002, 016-261-006, 016-261-007, 016-261-011, 016-261-012, 016-261-013, 016-261-014, 016-410-001, 016-410-003, 016-410-007, 016-410-009, 016-410-011; Mount Aukum Area (Supervisory District 2) - Assessor’s Parcel Number 095-160-015; Pilot Hill Area (Supervisory District 4) - Assessor’s Parcel Number 104-250-010; Placerville Area (Supervisory District 3) - Assessor’s Parcel Numbers: 084-200-012 and 084-200-057; Shingle Springs Area (Supervisory District 4) - Assessor’s Parcel Numbers 070-250-069, 070-250-070; and Somerset Area (Supervisory District 2) - Assessor’s Parcel Number 046-370-042.

ENVIRONMENTAL DOCUMENT: A program Environmental Impact Report (EIR) for the Targeted General Plan Amendment/Zoning Ordinance Update (TGPA/ZOU) Project was previously prepared pursuant to Section 15168 of the California Environmental Quality Act (CEQA) Guidelines (El Dorado County TGPA/ZOU Final Program EIR, December 2015, SCH #2012052074). It has

been determined that an additional EIR or addendum is not required for GPA19-0001/Z19-0003 as discussed in the Environmental Review section of the staff report.

RECOMMENDATION: Staff recommends the Planning Commission forward a recommendation to the Board of Supervisors to take the following actions:

1. Determine that pursuant to the California Environmental Quality Act Guidelines Section 15168, there is no substantial evidence requiring the preparation of a subsequent Negative Declaration or an Addendum to the existing El Dorado County Targeted General Plan Amendment/Zoning Ordinance Update (TGPA/ZOU) Final Program Environmental Impact Report (SCH #2012052074), adopted by the Board of Supervisors on December 15, 2015;
2. Approve General Plan Amendment GPA19-0001 based on the Findings as presented; and
3. Approve Rezone Z19-0003 based on the Findings as presented.

EXECUTIVE SUMMARY

Approval of this general plan amendment and parcel-specific rezones would correct documented mapping errors made during the TGPA/ZOU project the Board of Supervisors approved in 2015. No development is proposed as a part of the general plan amendment or parcel-specific rezones. Staff has determined that the proposed project is consistent with 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

In 2017, the El Dorado County Planning and Building Department, Planning Services Division, Long Range Planning Unit initiated a Zoning Ordinance Major Amendments project (Project File No. OR17-0002) to address issues identified during implementation of the comprehensive Zoning Ordinance Update adopted by the Board of Supervisors (Board) on December 15, 2015. On September 12, 2017, the Board adopted Resolution of Intention 140-2017 which authorized staff to process the proposed major amendments (Legistar File 17-0901). The proposed project includes modifications to existing land uses, additional or expanded land uses including agricultural related land uses, improvements to planning permit processing, modifications to public noticing, and several parcel-specific rezones.

On January 24, 2019, staff conducted a Planning Commission public workshop for information purposes only, regarding the proposed Zoning Ordinance Major Amendments project. Staff presented an outline of the components of the project for purposes of soliciting early community engagement and direction from the Planning Commission (Legistar File 19-0020).

On April 10, 2019, staff presented the agricultural related components of the project to the Agricultural Commission including three parcel rezones – one in the Mount Aukum area and two in the Placerville Area (Legistar File 19-0591). The Agricultural Commission recommended approval of staff's recommendation as presented, and to move the project forward to the Planning Commission.

After April 10, 2019, staff received requests from some of the property owners to expedite processing the rezones separately from the Zoning Ordinance Major Amendments. Staff is therefore recommending that the parcel-specific rezones be processed separately from the Zoning Ordinance Major Amendments at this time to reduce further delay to the affected property owners.

As discussed in this staff memo more fully below, the parcel-specific rezones mentioned above will correct mapping errors made during the 2015 comprehensive update to the Zoning Ordinance. The proposed parcel-specific rezones were included in the presentation to the Planning Commission during the public workshop on January 24, 2019. Map exhibits and any necessary documentation identifying each parcel are included for consideration (see Exhibits A through N).

PROJECT INFORMATION

Project Description: The project consists of **General Plan Amendment (GPA19-0001)** to amend the Land Use Map (Figure LU-1: Land Use Diagram) with changes to the land use designations (General Plan mapping errors) on portions of two parcels, and **Rezone (Z19-0003)** to change the zoning on 25 parcels to correct documented mapping errors of the Zoning Map as described below. A summary table of the proposed rezones is attached as Exhibit N.

General Plan Amendment - Land Use Map Revisions

This General Plan Amendment (GPA19-0001) is an update to the Land Use Map (Figure LU-1: Land Use Diagram). The proposed revisions are to the General Plan land use designations on portions of one parcel in the Pilot Hill area and one parcel in the Shingle Springs area as described below:

Pilot Hill Area (1 parcel), APN: 104-250-010

Since the current General Plan Land Use Designation of Multifamily Residential (MFR) is not consistent with the proposed rezone to Commercial, Community (CC), a proposed General Plan land use designation change is required for a portion of APN 104-250-010 to a Commercial (C) designation. Planning staff is recommending that the General Plan Land Use Map be amended to change the land use designation for the north portion (0.77 acre) of this parcel only from MFR to C (See Exhibit A).

Consistency: As discussed in General Plan findings, the proposed land use designation change is consistent with General Plan Policy 2.2.1.2 which defines the General Plan land use designations including Commercial (C); and Policy 2.2.5.21 which requires that development projects be located and designed in a manner that avoids incompatibility with adjoining land uses.

Shingle Springs Area (1 parcel), APN: 070-250-070

Since the current General Plan Land Use Designation of Medium-Density Residential (MDR) is not consistent with the proposed rezone to Commercial, Regional (CR), a proposed General Plan land use designation change is required for a portion of APN 070-250-070 to a Commercial (C) designation. Planning staff is recommending that the General Plan Land Use Map be amended to change the land use designation for a portion of this parcel from MDR to C (See Exhibit B).

Consistency: As discussed in General Plan findings, the proposed land use designation change is consistent with General Plan Policy 2.2.1.2, which defines the General Plan land use designations including Commercial (C); and Policy 2.2.5.21, which requires that development projects be located and designed in a manner that avoids incompatibility with adjoining land uses.

Parcel-Specific Rezones (Z19-0003):

This Rezone (Z19-0003) proposes to rezone 25 parcels as described below:

Greenwood Area (4 parcels) – See Exhibit C

Assessor Parcel No.	Approx. Acreage	Current General Plan Land Use Designation	Current Zoning	Proposed Zone Change
074-100-029	0.57	Commercial (C)	Commercial, Limited (CL)	Commercial, Community (CC)
074-100-041	1.0	Commercial (C)	Commercial, Limited (CL)	Commercial, Community (CC)
074-100-046	0.43	Commercial (C)	Commercial, Limited (CL)	Commercial, Community (CC)
074-100-050	0.70	Commercial (C)	Commercial, Limited (CL)	Commercial, Community (CC)

There is no need to change the General Plan land use designation of Commercial (C) as the proposed CC zoning will be consistent. Planning staff is recommending that these four parcels be rezoned from CL to CC.

Meeks Creek Area (14 parcels) – See Exhibits D and E

Assessor Parcel No.	Approx. Acreage	Current General Plan Land Use Designations	Current Zoning	Proposed Zone Change
016-041-006*	14.07	Adopted Plan (AP) – County; Conservation – TRPA Meeks Creek Plan Area Statement (PAS)	Commercial, Community (CC)	Single-unit Residential, Tahoe Basin Combining Zone (R1-T)
016-261-001	0.23	AP; Conservation	CC	R1-T
016-261-002	0.35	AP; Conservation	CC	R1-T
016-261-006	0.94	AP; Conservation	CC	R1-T
016-261-007	0.25	AP; Conservation	CC	R1-T
016-261-011	0.395	AP; Conservation	CC	R1-T
016-261-012	0.418	AP; Conservation	CC	R1-T
016-261-013	0.411	AP; Conservation	CC	R1-T
016-261-014	4.635	AP; Conservation	CC	R1-T
016-410-001	0.70	AP; Conservation	CC	R1-T
016-410-003	1.19	AP; Conservation	CC	R1-T
016-410-007	16.50	AP; Conservation	CC	R1-T
016-410-009	0.35	AP; Conservation	CC	R1-T
016-410-011	0.02	AP; Conservation	CC	R1-T

* Assessor’s Parcel Number: 016-041-006 is a portion of a larger federal parcel of 117.50 acres where the inland portion is currently zoned Forest Resource (FR-160) and the portion closer to and along State Highway 89 is zoned Commercial, Community (CC). The rezoning proposes to change the 14.07 acre portion closer to and along State Highway 89 that is presently zoned CC to R1-T, and does not propose to change the portion of the parcel currently zoned FR-160.

There is no need to change the General Plan land use designation of Adopted Plan (AP) or the Meeks Creek PAS Conservation designation as the proposed Single-unit Residential, Tahoe Basin Combining Zone (R1-T) zoning will be consistent. Planning staff is recommending that these parcels listed above be rezoned from CC to R1-T.

Staff contacted the Tahoe Regional Planning Agency (TRPA) with these proposed zoning changes to parcels within the TRPA Meeks Creek PAS and received concurrence from TRPA staff with the County’s proposed rezones. (See Exhibit E)

Meeks Bay (Creek) Area (1 parcel removed from proposed rezones) - See Exhibit D

Assessor Parcel Number (APN) 016-410-10 has been removed from the proposed rezones in the Meeks Bay (Creek) Area that were presented to the Planning Commission on January 24, 2019 (Legistar File 19-0020, Attachment B, see page 5). In preparing this staff report, staff learned that the Board adopted Ordinance 5030 on December 15, 2015 which rezoned APN 016-410-10 (Z15-0001) that changed the portion zoned Tahoe One-Family Residential (TR1) from 7.49 acres to 15.41 acres and the portion zoned Tahoe Commercial (CT) from 9.14 acres to 1.22 acres. The Board action on December 15, 2015 also approved a Tentative Parcel Map (P15-0001) to create four parcels (Legistar File 15-1212). Presently, the four new parcels are in process of obtaining new APNs. In the interim, the parcels have temporary identifiers: NP 1432066, NP 1432068, NP 1432069 for the three with existing commercial uses along State Highway 89 which will remain CC (1.22 acres total), and NP 1432070 for the remainder (15.42 acres) which will remain zoned R1-T.

Staff contacted the Tahoe Regional Planning Agency (TRPA) and received concurrence from TRPA staff with the County’s proposal to not make any zone changes to prior APN 016-410-10 (See Exhibit E).

Mount Aukum Area (1 parcel) – See Exhibits F, G & H

Assessor Parcel No.	Approx. Acreage	Current General Plan Land Use Designation	Current Zoning	Proposed Zone Change
095-160-015	13.17	Rural Residential (RR)	Limited Agricultural – 10 acres (LA-10)	Planned Agricultural – 10 acres (PA-10)

Several years ago, the former property owner had requested a rezone through the Ag Opt-In process and the County agreed to rezone the property from Limited Agricultural (LA-10) to Planned Agricultural – 10 acres (PA-10). However, this rezone was omitted in error. On February 12, 2019, El Dorado County received a letter from the current property owner describing their involvement with the rezoning of this property (Exhibits G & H). At the Planning Commission public workshop on January 24, 2019, the Commission did not have any comments regarding this rezone. The current property owner attended the public workshop and offered support for the rezone. Planning staff is recommending that this parcel be rezoned from LA-10 to PA-10.

Pilot Hill Area (1 parcel) – See Exhibit I

Assessor Parcel No.	Approx. Acreage	Current General Plan Land Use Designation	Proposed General Plan Land Use Change	Current Zoning	Proposed Zone Change
104-250-010	0.77	Multifamily Residential (MFR)	Commercial (C) (north portion of parcel)	Multi-unit Residential (RM)	Commercial, Community (CC) (north portion of parcel)

This proposed rezone is for a portion (approximately 0.77 acres) of this parcel (9.01 total acres). The current zoning of Multi-unit Residential (RM) incorrectly shows the north portion of this parcel as RM when it is requested as commercial. Planning staff is recommending that the north portion of this parcel be rezoned from RM to CC (See Exhibit I).

The current General Plan Land Use Designation of MFR is not consistent with the proposed rezone to CR; therefore a proposed General Plan land use designation change is required (see Exhibit A - General Plan Amendment for Pilot Hill).

Placerville Area (two parcels) – See Exhibits J& K

Assessor Parcel No.	Approx. Acreage	Current General Plan Land Use Designation	Current Zoning	Proposed Zone Change
084-200-012	10.0	Rural Residential (RR)	Limited Agricultural – 10 acres (LA-10)	Planned Agricultural – 10 acres (PA-10)
084-200-057	31.925	Rural Residential (RR)	Limited Agricultural – 10 acres (LA-10)	Planned Agricultural – 10 acres (PA-10)

Several years ago, the property owner had requested a rezone through the Ag Opt-In process. The County agreed to rezone the property to Planned Agricultural – 10 acres (PA-10). However, this rezone was omitted in error. Staff was not aware of these incorrectly zoned properties until after the Planning Commission public workshop of January 24, 2019. The current property owner contacted planning staff after the public workshop and provided the necessary documentation indicating that the property is currently incorrectly zoned (Exhibit K). Planning staff is recommending that both APN’s of this property be rezoned from LA-10 to PA-10.

Shingle Springs Area (two parcels) – See Exhibit L

Assessor Parcel No.	Approx. Acreage	Current General Plan Land Use Designation	Proposed General Plan Land Use Change	Current Zoning	Proposed Zone Change
070-250-069	0.011	Medium-Density Residential (MDR)	No Change	One-Acre Residential, (R1A)/ Commercial, Regional (CR)	One-Acre Residential, (R1A)
070-250-070	0.083	Medium-Density Residential (MDR)/ Commercial (C)	Commercial (C)	One-Acre Residential, (R1A)/ Commercial, Regional (CR)	Commercial, Regional (CR)

These proposed rezones will correct two errors. The first rezone changes a small sliver portion (0.011 acres) of APN 070-250-069 from Commercial, Regional (CR) to One-Area Residential (R1A). The second correction is to rezone a small triangular corner portion (0.083 acres) of APN 070-250-070 from R1A to CR. Both of these rezones are correcting mapping errors. Planning staff is recommending that a portion of parcel 070-250-069 be rezoned from CR to R1A, and that a portion of parcel 070-250-070 be rezoned from R1A to CR (See Exhibit L).

The current General Plan Land Use Designation of Medium-Density Residential (MDR) is not consistent with the proposed rezone to CR, therefore a proposed General Plan land use designation change is required (see Exhibit B - General Plan Amendment for Shingle Springs).

Somerset Area (1 parcel) – See Exhibit M

Assessor Parcel No.	Approx. Acreage	Current General Plan Land Use Designation	Current Zoning	Proposed Zone Change
046-370-042	5.90	Rural Residential (RR)	Recreational Facilities, Low-Intensity (RF-L)	Residential Estate (RE-10)

There is no need to change the General Plan designation of Rural Residential (RR) as the proposed Residential Estate (RE-10) zoning will be consistent. Planning staff is recommending that this parcel be rezoned from RF-L to RE-10.

Consistency: As discussed in the Zoning findings, the parcel-specific rezones are consistent with the General Plan land use designations.

ENVIRONMENTAL REVIEW

The proposed general plan amendment and parcel-specific rezones described above are to correct mapping errors made as a part of the TGPA/ZOU Project. A programmatic EIR was prepared and

certified by the Board on December 15, 2015 (Legistar File 11-0356). The ZOU included site-specific zone changes, but did not propose any specific development on any of those sites. The zone changes were undertaken to make the zoning consistent with the General Plan's land use map, as required by California Government Code Section 65860, various policies of the General Plan, and General Plan Implementation Measure LU-A. As a result, there were no parcel-specific development proposals that could be examined for environmental impact. The 2015 ZOU zone changes resulted in zoning consistent with the adopted General Plan. The analysis in the TGPA/ZOU EIR references the conclusions of the 2004 General Plan EIR regarding the impacts of the General Plan, while taking into account existing conditions. This provides the general level of environmental review and disclosure required by the California Environmental Quality Act (CEQA) for this type of project. As a program EIR, the certified TGPA/ZOU EIR can be used as the basis for approving later actions that are within its scope without the need to prepare a new EIR for the action (CEQA Guidelines Section 15168). The proposed general plan amendment and parcel-specific rezones to correct mapping errors to bring the zoning consistent with the General Plan land use designations is within the scope of the TGPA/ZOU EIR. The proposed general plan amendment and parcel-specific rezones will not result in any new significant impacts that were not previously analyzed in the TGPA/ZOU EIR. Therefore, no further CEQA environmental analysis is required. (TGPA/ZOU Final Program EIR, Section 8.2.1, Future Use of the TGPA/ZOU EIR, December 2015).

PROPOSED REZONES REMOVED FOR FURTHER ANALYSIS

The Zoning Ordinance Major Amendments project (ROI No. 140-2017) included several other parcel specific rezones. As a result of further research, staff determined that these proposed rezones will require General Plan Amendments and further environmental review that require Board review and action. Therefore, staff recommends that these parcel-specific rezones be removed from the Zoning Ordinance Major Amendments project and addressed separately for future action by the Board. (See Exhibit N: Garden Valley Area - 1 parcel, North Placerville Area - 4 parcels, and Texas Hill Reservoir Area - 10 parcels).

NEXT STEPS

Following this Planning Commission public hearing, staff will review the comments received from the public and the Planning Commission, and will make any necessary revisions to the proposed parcel-specific rezones. Staff will present the proposed parcel-specific rezones and the Planning Commission recommendation for the Board's consideration and approval. The Board of Supervisors public hearing is anticipated to be held in August of 2019.

SUPPORT INFORMATION

Attachments to Staff Report:

Findings

- Exhibit A.....Proposed General Plan Land Use Designation - Pilot Hill Area
- Exhibit B.....Proposed General Plan Land Use Designation - Shingle Springs Area
- Exhibit C.....Proposed Rezone - Greenwood Area
- Exhibit D.....Proposed Rezone - Meeks Creek Area
- Exhibit E.....Correspondence with TRPA regarding Proposed Rezone within Meeks Creek Plan Area; June 3, 2019
- Exhibit F.....Proposed Rezone - Mount Aukum Area
- Exhibit G.....Mount Aukum Property Owner’s letter of January 27, 2019
- Exhibit H.....Mount Aukum Property Owner (Agricultural Zone “Opt-In”) request dated 12/2/2013
- Exhibit I.....Proposed Rezone - Pilot Hill Area
- Exhibit J.....Proposed Rezone - Placerville Area
- Exhibit K.....Placerville Area Property Owner’s email dated January 31, 2019
- Exhibit L.....Proposed Rezone - Shingle Springs Area
- Exhibit M.....Proposed Rezone - Somerset Area
- Exhibit N.....Zoning Ordinance Major Amendments Parcel Rezones Summary Table