



Legislation Details (With Text)

File #: 24-0968 **Version:** 1

Type: Agenda Item **Status:** Approved

File created: 5/15/2024 **In control:** Board of Supervisors

On agenda: 6/11/2024 **Final action:** 6/11/2024

Title: HEARING - To consider the recommendation of the Planning Commission on the McMann project (General Plan Amendment GPA22-0004/Rezone Z22-0004/Tentative Parcel Map P22-0010) to request a General Plan Amendment from Rural Residential (RR) to Low Density Residential (LDR), Rezone from Rural Land, Ten-Acre (RL-10) to Residential Estate, Five-Acre (RE-5), and Tentative Parcel Map to create two (2) parcels of 5.0 acres in size each from an existing 10.0-acre parcel, located on the west side of Deer Valley Road, approximately 1.8 miles northeast of the intersection with Green Valley Road, in the Rescue area, submitted by David McMann, the property owner; and the Planning Commission recommending the Board take the following actions:
 1) Adopt the Mitigated Negative Declaration based on the Initial Study prepared by staff in accordance with the CEQA Guidelines; (Attachment F);
 2) Adopt the Mitigation Monitoring Reporting Program in accordance with CEQA Guidelines Section 15074(d), incorporated as Conditions of Approval (Attachment H);
 3) Adopt and authorize the Chair to sign Resolution XX 106-2024 for General Plan Amendment GPA22-0004 changing the land use designation from Rural Residential (RR) to Low Density Residential (LDR), (Attachment C);
 4) Adopt and authorize the chair to sign Ordinance XX 5202 for Rezone Z22-0004, rezoning from Rural Land, Ten-Acre (RL-10) to Residential Estate, Five-Acre (RE-5) (Attachment B); and
 5) Approve Tentative Parcel Map P22-0010 to create two (2) parcels of 5.0 acres and 5.0 acres in size from an existing 10.0-acre parcel based on the Findings and subject to the Conditions of Approval as recommended by the Planning Commission (Attachments G and H). (District 4)

FUNDING: NA

Sponsors:

Indexes:

Code sections:

Attachments: 1. A - Counsel Approvals, 2. B - Rezone Ordinance, 3. C - Resolution to Amend 102-070-058, 4. D - Staff Report, 5. E - Staff Report Exhibits A-G, 6. F - Staff Report Exhibit H - ISMND, 7. G - Findings, 8. H - Conditions of Approval, 9. I - Signed Mitigation Measures Agreement, 10. J - Mitigation Monitoring Checklist, 11. Executed Resolution 106-2024, 12. Executed Ordinance 5202, 13. FINAL Findings, 14. FINAL Conditions of Approval, 15. APPROVED STAMPED Exhibit G, 16. APPROVED STAMPED Map, 17. ADOPTED Mitigated Negative Declaration, 18. RECEIPT Notice of Determination, 19. FILED Notice of Determination

Date	Ver.	Action By	Action	Result
6/11/2024	1	Board of Supervisors	Approved	Pass

HEARING - To consider the recommendation of the Planning Commission on the McMann project (General Plan Amendment GPA22-0004/Rezone Z22-0004/Tentative Parcel Map P22-0010) to request a General Plan Amendment from Rural Residential (RR) to Low Density Residential (LDR), Rezone from Rural Land, Ten-Acre (RL-10) to Residential Estate, Five-Acre (RE-5), and Tentative Parcel Map to create two (2) parcels of 5.0 acres in size each from an existing 10.0-acre parcel, located on the west side of Deer Valley Road, approximately 1.8 miles northeast of the intersection with Green Valley Road, in the Rescue area, submitted by David McMann, the property owner; and the Planning Commission recommending the Board take the following actions:

- 1) Adopt the Mitigated Negative Declaration based on the Initial Study prepared by staff in accordance with the CEQA Guidelines; (Attachment F);
- 2) Adopt the Mitigation Monitoring Reporting Program in accordance with CEQA Guidelines Section 15074(d), incorporated as Conditions of Approval (Attachment H);
- 3) Adopt and authorize the Chair to sign Resolution ~~XX~~ **106-2024** for General Plan Amendment GPA22-0004 changing the land use designation from Rural Residential (RR) to Low Density Residential (LDR), (Attachment C);
- 4) Adopt and authorize the chair to sign Ordinance ~~XX~~ **5202** for Rezone Z22-0004, rezoning from Rural Land, Ten-Acre (RL-10) to Residential Estate, Five-Acre (RE-5) (Attachment B); and
- 5) Approve Tentative Parcel Map P22-0010 to create two (2) parcels of 5.0 acres and 5.0 acres in size from an existing 10.0-acre parcel based on the Findings and subject to the Conditions of Approval as recommended by the Planning Commission (Attachments G and H). (District 4)

FUNDING: NA

DISCUSSION /BACKGROUND

Request to consider the recommendation of the Planning Commission on the McMann project (General Plan Amendment GPA22-0004/Rezone Z22-0004/Tentative Parcel Map P22-0010) involving a General Plan Amendment from Rural Residential (RR) to Low Density Residential (LDR), Rezone from Rural Land, Ten-Acre (RL-10) to Residential Estate, Five-Acre (RE-5), and Tentative Parcel Map to create two (2) parcels of 5.0 acres in size each from an existing 10.0-acre parcel on property identified by Assessor's Parcel Number 102-070-058-000, in the Rescue area, submitted by David McMann, the property owner.

At its February 22, 2024 public hearing, the Planning Commission recommended to the Board of Supervisors the following actions: 1) Adopt the Mitigated Negative Declaration based on the Initial Study prepared by staff in accordance with the CEQA Guidelines; 2) Adopt the Mitigation Monitoring Reporting Program in accordance with CEQA Guidelines Section 15074(d), incorporated as Conditions of Approval; and 3) Approve General Plan Amendment GPA22-0004, Rezone Z22-0004, and Tentative Parcel Map P22-0010 (Attachment E, Exhibit F) based on the Findings and subject to the Conditions of Approval as presented. The motion passed with a 4-0 vote with 1 Commissioner absent (Attachments G and H).

ALTERNATIVES

The Board may elect to continue the item to a date certain for additional information and future action; Continue the item off-calendar, which would require a new public notice for future consideration and action; or Deny the application. A Denial action would result in a request to have the item be continued to a date certain so that staff can prepare Findings for Denial.

PRIOR BOARD ACTION

See Discussion/Background above.

OTHER DEPARTMENT/AGENCY INVOLVEMENT

County Counsel

FINANCIAL IMPACT

The creation of two additional parcels that would allow for the future development of two residential units would provide additional property tax revenue for the County.

CLERK OF THE BOARD FOLLOW UP ACTIONS

- 1) Clerk to obtain the Chair's signature on the original copy of the Rezone Ordinance and General Plan Amendment Resolution.
- 2) Clerk to send one (1) fully executed copy of the Rezone Ordinance and General Plan Amendment Resolution to the Planning and Building Department, attention of Aurora Osbual.

STRATEGIC PLAN COMPONENT

Economic Development and Good Governance. This project aligns with the Economic Development goals of the County's Strategic Plan as allowing the change of the zoning and land use designations would allow for the development of two additional residential units that would provide property tax revenue.

CONTACT

Rob Peters, Deputy Director of Planning
Planning and Building Department