



## Legislation Details (With Text)

**File #:** 10-0806      **Version:** 1

**Type:** Agenda Item      **Status:** Approved

**File created:** 7/16/2010      **In control:** Board of Supervisors

**On agenda:** 9/14/2010      **Final action:** 9/14/2010

**Title:** HEARING - Consider the recommendation of the Planning Commission on General Plan Amendment A09-0006/Rezone Z09-0012/Pierce Trust on property identified by APN 327-140-07, consisting of 4.77 acres, in the Placerville periphery area, submitted by Elizabeth Ann Williams/Trustee; and recommending the Board take the following conceptual actions:  
 1) Adopt the Negative Declaration based on the Initial Study prepared by staff;  
 2) Approve General Plan amendment application A09-0006 amending the land use designation for APN 327-140-07 from Medium Density Residential (MDR) to Commercial (C) based on the Findings listed in Attachment 1;  
 3) Approve Z09-0012 rezoning APN 327-140-07 from One-Acre Residential (R1A) to Professional Office Commercial-Planned Development (CPO-PD) based on the Findings listed in Attachment 1;  
 4) Staff recommending the addition of Finding 3.5, which states: The Board finds that the Professional Office Commercial-Planned Development (CPO-PD) Zone District is more restrictive than the Commercial-Planned Development Zone District (C-PD) and, therefore, the anticipated impacts associated with the zone change are adequately addressed in the Negative Declaration considered by the Planning Commission based on the Initial Study prepared by staff.  
 5) Adopt Ordinance 4951 for said rezone; and  
 6) Continue item for final action to occur with the adoption of the Resolution approving the General Plan Amendments considered by the Board during the "General Plan Window", tentatively scheduled for September 14, 2010. (Supervisory District III) (Est. Time: 2 Hrs.)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. A-Minutes 06-24-10.pdf, 2. B-Attachment 1-Findings for Approval.pdf, 3. C-Minutes 05-27-10.pdf, 4. D-Staff Memo 05-17-10 & Denial Findings.pdf, 5. E-Minutes 05-13-10.pdf, 6. F-Staff Report.pdf, 7. G-Applicant Submittals.pdf, 8. H-Public Comments.pdf, 9. I - Letter from Kenneth Pierce 10-0806 I.pdf, 10. J - Letter from L. Chapa and C. Pierce 10-0806.pdf, 11. K - Petition and letters opposing the rezone 10-0805K.pdf, 12. L - Ordinance Placerville Periphery Area, 13. M-10-0806-Petition-Neighbors of Sky Crt, 14. N - Letter from L. and B. Keller 10-0806.pdf, 15. Fully executed Ordinance 4951, 16. A09-0006 Z09-0012 Findings-BOS attached 9-24-10, 17. Document submitted by G. Thorne, 18. Letter submitted by Christina Conley

Date	Ver.	Action By	Action	Result
9/14/2010	1	Board of Supervisors	Approved	Pass

HEARING - Consider the recommendation of the Planning Commission on General Plan Amendment A09-0006/Rezone Z09-0012/Pierce Trust on property identified by APN 327-140-07, consisting of 4.77 acres, in the Placerville periphery area, submitted by Elizabeth Ann Williams/Trustee; and recommending the Board take the following conceptual actions:  
 1) Adopt the Negative Declaration based on the Initial Study prepared by staff;  
 2) Approve General Plan amendment application A09-0006 amending the land use designation for APN 327-140-07 from Medium Density Residential (MDR) to Commercial (C) based on the Findings listed in Attachment 1;  
 3) Approve Z09-0012 rezoning APN 327-140-07 from One-Acre Residential (R1A) to Professional

Office Commercial-Planned Development (CPO-PD) based on the Findings listed in Attachment 1;  
4) Staff recommending the addition of Finding 3.5, which states: The Board finds that the Professional Office Commercial-Planned Development (CPO-PD) Zone District is more restrictive than the Commercial-Planned Development Zone District (C-PD) and, therefore, the anticipated impacts associated with the zone change are adequately addressed in the Negative Declaration considered by the Planning Commission based on the Initial Study prepared by staff.

5) Adopt Ordinance 4951 for said rezone; and

6) Continue item for final action to occur with the adoption of the Resolution approving the General Plan Amendments considered by the Board during the "General Plan Window", tentatively scheduled for September 14, 2010. (Supervisory District III) (Est. Time: 2 Hrs.)

Background: Request to consider General Plan Amendment A09-0006/Rezone Z09-0012/Pierce Trust submitted by ELIZABETH ANN WILLIAMS/Trustee (Agent: Gene E. Thorne & Associates, Inc.) to allow the following: (1) General Plan amendment amending the land use designation from Medium Density Residential (MDR) to Commercial (C); and (2) Rezone from One-Acre Residential (R1A) to Commercial-Planned Development (C-PD). The property, identified by Assessors Parcel Number 327-140-07, consisting of 4.77 acres, is located on the east side of Greenleaf Drive, approximately 300 feet south of the intersection with Missouri Flat Road, in the Placerville periphery area, Supervisory District III. [*Project Planner: Jason Hade*] (Negative declaration prepared)

These applications were considered by the Planning Commission on May 13, 2010 (conceptually denied, 3-1 [Mathews]), May 27, 2010 (continued to June 24, 2010 for further discussion and re-noticing, 3-0), and June 24, 2010 (approved with amendment to rezone request, 3-1 [Mathews]). The Planning Commission's final recommendation is to approve the rezoning to Professional Office Commercial-Planned Development (CPO-PD) instead of Commercial-Planned Development (C-PD). The minutes from these meetings are attached.

In accordance with the direction of the Planning Commission, staff analyzed the uses permitted in the Commercial Zone District (C) and the Professional Office Commercial Zone District (CPO) and found that the CPO Zone District is more restrictive than the C Zone District and, therefore, concluded that no further environmental review was necessary and that the proposed Negative Declaration, as recommended for adoption by the Planning Commission, may be adopted by the Board.

Contact: Roger P. Trout (5369)/Pierre Rivas (5841)

Follow-up for COB: Send 3 copies of Minute Order and Ordinance to Dept.