



Legislation Details (With Text)

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On agenda: 8/6/2019 **Final action:** 8/6/2019

Title: HEARING - To consider the recommendation of the Planning Commission on the Bado project (General Plan Amendment A18-0001/Rezone Z18-0001) to amend the General Plan land use designation and Zone District on property identified by Assessor's Parcel Number 061-200-006, consisting of 1.41 acres, in the Georgetown area, submitted by Paul Bado; and the Planning Commission recommending the Board take the following actions:
 1) Adopt the Negative Declaration based on the Initial Study prepared by staff (Attachment C);
 2) Approve A18-0001 amending the General Plan land use designation for Assessor's Parcel Number 061-200-006 from Commercial to Medium Density Residential based on the Findings presented (Attachment B);
 3) Approve Z18-0001 rezoning Assessor's Parcel Number 061-200-006 from Commercial, Main Street to One-acre, Residential based on the Findings presented (Attachment B);
 4) Adopt Ordinance 5105 for said Rezone (Attachment A); and
 5) Continue item for final action to occur with the adoption of the Resolution approving the General Plan Land Use Element Amendments considered by the Board during the "General Plan Window", tentatively scheduled for August 6, 2019. (Supervisorial District 4) (Est. Time: 10 Min.)

Sponsors:

Indexes:

Code sections:

Attachments: 1. A - Approved Contract Routing Sheet and Zoning Ordinance, 2. B - Findings, 3. C - Proposed Negative Declaration and Initial Study, 4. D - Planning Commission Minute Order 06-27-19, 5. E - Notification Map, 6. F - Proof of Publication-Mountain Democrat, 7. G - Proof of Publication-Georgetown Gazette, 8. Executed Ordinance 5105, 9. Executed Ordinance 5105-Proof of Publication-Mountain Democrat, 10. FINAL Findings, 11. ADOPTED Negative Declaration, 12. RECEIPT-Notice of Determination, 13. Proof of Publication, 14. FILED-Notice of Determination

Date	Ver.	Action By	Action	Result
8/6/2019	1	Board of Supervisors	Approved	Pass

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tentatively scheduled for August 6, 2019. (Supervisory District 4) (Est. Time: 10 Min.)

DISCUSSION /BACKGROUND

Request to consider General Plan Amendment A18-0001/Rezone Z18-0001/Bado submitted by Paul Bado to allow a General Plan Amendment to change the land use designation from Commercial (C) to Medium Density Residential (MDR) and a Rezone from Commercial, Main Street (CM) to One-acre, Residential (R1A). The property, identified by Assessor's Parcel Number 061-200-006, consisting of 1.41 acres, is located on the east side of Hwy 193, approximately 300 feet south of the intersection with Prospect Hill Road, in the Georgetown area, Supervisory District 4. (County Planner: Emma Carrico) (Negative Declaration prepared)

Planning staff presented the Bado General Plan Amendment and Rezone proposal to the Planning Commission on June 27, 2019 (Legistar 19-0933, Agenda Item 2). The project was previously presented on August 23, 2018 (Legistar 18-1186, Agenda Item 2) but was continued off-calendar due to the since settled Targeted General Plan Amendment/Zoning Ordinance Update (TGPA/ZOU) litigation. Staff and Planning Commissioners discussed surrounding land use designations, potential future uses for the parcel, and the development limitations posed by the parcel's shape and recorded easements. No public comments were received before or during the public hearing. Following closure of deliberation and public comment, Commissioner Hansen made a motion, with a second by Commissioner Shinault, to recommend approval of staff's recommended actions to the Board and the motion passed 4-0 (Attachment D). The Planning Commission's Findings are included as Attachment B. The purpose of the proposed changes to the land use and zoning designations is to improve the development potential of the parcel. The property has been listed for sale for over three years with several commercial buyers withdrawing due to development limitations.

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 may need to be continued to a date certain so that staff can prepare Findings for Denial.

FINANCIAL IMPACT

N/A

CLERK OF THE BOARD FOLLOW UP ACTIONS

- 1) Clerk to obtain the Chair's signature on the original copy of the Rezone Ordinance.
- 2) Clerk to send one (1) fully executed copy of the Rezone Ordinance to the Planning and Building Department, attention of Char Tim, Clerk of the Planning Commission.

STRATEGIC PLAN COMPONENT

Economic Development and Good Governance. This project aligns with the Economic Development goals of the County's Strategic Plan as the property is unlikely to be developed commercially due to development limitations and allowing the change of the land use and zoning designations would allow for the development of a single residential unit that would provide property tax revenue. It is also a practice of Good Governance as the change would minimize the likelihood of future design waiver requests or poor design proposals that may occur due to the development limitations of the parcel for commercial use.

CONTACT

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Planning and Building Department