



## Legislation Details (With Text)

**File #:** 20-1203      **Version:** 1

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

**File created:** 9/8/2020      **In control:** Board of Supervisors

**On agenda:** 10/13/2020      **Final action:** 10/13/2020

**Title:** HEARING - To consider the recommendation of the Planning Commission on the Rancho Victoria project (Rezone Z18-0009/Tentative Parcel Map P18-0011) to request a rezone from Rural Lands, 40-Acre (RL-40) to Rural Lands, 20-Acre (RL-20) and a Tentative Parcel Map dividing an 81.81 acre property into three parcels ranging in size from 26.70 acres to 33.13 acres on property identified by Assessor's Parcel Number 087-010-035, consisting of 81.81 acres, in the Latrobe area, submitted by Jeff Sweigart; 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 with minor modifications to proposed Mitigation Measure CUL-2 as recommended by the Planning Commission (Attachment C);
- 2) Adopt the Mitigation Monitoring Reporting Program in accordance with the California Environmental Quality Act Guidelines Section 15074(d), incorporated as Conditions of Approval (Attachment E);
- 3) Approve Rezone Z18-0009 rezoning Assessor's Parcel Number 087-010-035 from Rural Lands, 40-Acre to Rural Lands, 20-Acre based on the Findings as recommended by the Planning Commission (Attachment D);
- 4) Approve Tentative Parcel Map P18-0011, based on the Findings and subject to the Conditions of Approval as recommended by the Planning Commission (Attachments D and E); and
- 5) Adopt Ordinance 5130 for said Rezone. (Attachment B) (Supervisorial District 4 2 )

FUNDING: N/A

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. A - Approved Contract Routing Sheet-Rezone Ordinance, 2. B - Rezone Ordinance, 3. C - Mitigated Negative Declaration and Initial Study, 4. D - Findings, 5. E - Conditions of Approval, 6. F - Planning Commission Minute Order 08-27-20, 7. G - Planning Commission Minute Order 08-13-20, 8. H - Notification Map (1000 feet), 9. I - Proof of Publication - Mt. Democrat, 10. J - Staff's PowerPoint Presentation, 11. FINAL Findings, 12. FINAL Conditions of Approval, 13. APPROVED STAMPED Map, 14. ADOPTED Mitigated Negative Declaration, 15. EXECUTED Rezone Ordinance 5130, 16. Initial Study-Environmental Checklist Form\_As Approved by the BOS 10-13-20, 17. RECEIPT Notice of Determination, 18. Summary of Ordinance 5130 Proof of Publication

Date	Ver.	Action By	Action	Result
10/13/2020	1	Board of Supervisors	Approved	Pass

HEARING - To consider the recommendation of the Planning Commission on the Rancho Victoria project (Rezone Z18-0009/Tentative Parcel Map P18-0011) to request a rezone from Rural Lands, 40-Acre (RL-40) to Rural Lands, 20-Acre (RL-20) and a Tentative Parcel Map dividing an 81.81 acre property into three parcels ranging in size from 26.70 acres to 33.13 acres on property identified by Assessor's Parcel Number 087-010-035, consisting of 81.81 acres, in the Latrobe area, submitted by Jeff Sweigart; 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 with minor modifications to proposed Mitigation Measure CUL-2 as recommended by the Planning Commission (Attachment C);

- 2) Adopt the Mitigation Monitoring Reporting Program in accordance with the California Environmental Quality Act Guidelines Section 15074(d), incorporated as Conditions of Approval (Attachment E);
- 3) Approve Rezone Z18-0009 rezoning Assessor's Parcel Number 087-010-035 from Rural Lands, 40-Acre to Rural Lands, 20-Acre based on the Findings as recommended by the Planning Commission (Attachment D);
- 4) Approve Tentative Parcel Map P18-0011, based on the Findings and subject to the Conditions of Approval as recommended by the Planning Commission (Attachments D and E); and
- 5) Adopt Ordinance **5130** for said Rezone. (Attachment B) (Supervisory District 4 2 )

**FUNDING:** N/A

**DISCUSSION /BACKGROUND**

Request to consider the Rancho Victoria project (Rezone Z18-0009/Tentative Parcel Map P18-0011) a Rezoning from Rural Lands, 40-Acre (RL-40) to Rural Lands, 20-Acre (RL-20) and a Tentative Parcel Map dividing an 81.81 acre property into three parcels ranging in size from 26.70 acres to 33.13 acres on property identified by Assessor's Parcel Number 087-010-035, consisting of 81.81 acres, in the Latrobe area, submitted by Jeff Sweigart. At its August 27, 2020 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; 2) Adopt the Mitigation Monitoring Reporting Program in accordance with California Environmental Quality Act Guidelines Section 15074(d), incorporated as Conditions of Approval; 3) Approve Rezone Z18-0009 based on the Findings as presented; and 4) Approve Tentative Parcel Map P18-0011, based on the Findings and subject to the Conditions of Approval.

The Planning Commission originally considered the project on August 13, 2020 (Legistar 20-0988, Agenda Item 3). After detailed discussion, the Planning Commission continued this item to August 27, 2020 (Legistar 20-0988, Agenda Item 2) in order to allow additional time for the applicant, the El Dorado Hills Fire Department (EDH Fire) and Planning Division staff to address modified conditions from EDH Fire, submitted to staff on August 12, 2020 (Legistar 20-0988, Public Comment Received 08-12-20).

The project includes considerations of actions from the Agricultural Commission (Ag Commission) on November 14, 2018 and September 12, 2019 for an advisory recommendation regarding project consistency with agricultural-related General Plan policies. At both Planning Commission hearings, staff and Planning Commissioners discussed surrounding zoning designations, potential agricultural impacts in the vicinity of the project parcel as a result of the project, and the revised comments submitted from EDH Fire on August 12, 2020. 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 Miller, to recommend approval of staff's recommended actions to the Board, including a minor amendment to Condition of Approval No. 6 (replacing the words 'non-building' with 'non-development' to clarify the intent of the 100-foot building setback adjacent to the historic Latrobe Cemetery), amendments to Condition of Approval No. 7 (amending DOT requirements for off-site improvements to South Shingle Road for consistency with modified EDH Fire requirements in Condition of Approval No. 18 below, adding a new requirement for pavement, rather than only aggregate base, along two 10-foot traffic lanes for the identified road section), Condition of Approval No. 17 (amending EDH Fire emergency water supply requirements to clarify the requirements of Chapter 5 of the CA Fire Code and ordinances/standards of EDH Fire will apply to all new buildings or structures, regardless of whether a building permit is required), and Condition of Approval No. 18 (amending EDH Fire requirements for roads and driveways to specify

requirements for on-site road improvements to Victoria Way including a minimum of two ten-foot traffic lanes capable of supporting a load of over 75,000 pounds, and to add a new requirement for two 10-foot paved traffic lanes, instead of aggregate surfaced lanes, for the segment of South Shingle Road located approximately 175 feet west of Latrobe Road to approximately 1,050 feet west of Latrobe Road), and a minor modification to the Draft Initial Study, amending proposed Mitigation Measure CUL-2 (100-foot non-development setback from historic Latrobe Cemetery) for consistency with revised Condition of Approval No. 6 above. The motion passed 5-0 (Attachment F). The Planning Commission's Findings are included as Attachment D.

### **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**

N/A

### **OTHER DEPARTMENT/AGENCY INVOLVEMENT**

County Counsel

### **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 Julie Saylor, 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 allowing the change of the zoning designation would allow for the development of two additional residential units that would provide property tax revenue. It is also a practice of Good Governance as the project would include needed improvements to a County-maintained roadway, improving vehicular and emergency vehicle access for the public benefit.

### **CONTACT**

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Planning and Building Department