



## Legislation Details (With Text)

**File #:** 09-0906      **Version:** 2

**Type:** Agenda Item      **Status:** Adopted

**File created:** 6/30/2009      **In control:** Board of Supervisors

**On agenda:** 5/11/2010      **Final action:** 5/11/2010

**Title:** HEARING - Consider the recommendation of the Planning Commission on Rezone Z07-0033/Planned Development PD07-0020/Tentative Map TM07-1448 on property identified by APN 331-420-12, consisting of 24.3 acres, in the El Dorado area, submitted by Michael, Robin, and Joshua McCann; and recommending the Board take the following actions:  
 1) Adopt the Mitigated Negative Declaration based on the initial study prepared by staff with the revisions identified in Staff Memo dated April 20, 2010;  
 2) Adopt the mitigation monitoring program in accordance with CEQA Guidelines, Section 15074(d), as incorporated in the Conditions of Approval and Mitigation Measures listed in Attachment 1;  
 3) Approve Z07-0033 rezoning APN 331-420-12 from Planned Agricultural 20-Acre (PA-20) to One-Family Residential-Planned Development (R1-PD) and Open Space-Planned Development (OS-PD), based on the findings listed in Attachment 1;  
 4) Approve Planned Development PD07-0020 adopting the Development Plan as the official Development Plan based on the findings and subject to the conditions of approval listed in Attachment 1;  
 5) Approve Tentative Map TM07-1448 based on the findings and subject to the conditions of approval listed in Attachment 1;  
 (6) Approve the request for design waiver to reduce the sidewalks from six feet to four feet wide;  
 7) Deny the following design waivers since appropriate findings required in Section 16.40.010 cannot be found to exist: a) to allow Lots 17, 18, 20, 21, 48, 50, 51 and 52 to have less than the required lot widths; and b) to allow flag-shaped lots on Lots 17, 18 and 51; and  
 8) Adopt Ordinance for said rezone. (District III) (Est. Time: 45 Min.) (Cont'd 7/28/09, Item 23)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. 1A - Planning Commission Minutes 06-25-09.pdf, 2. 1B - Planning Commission Minutes 05-28-09.pdf, 3. 1C - Planning Commission Minutes 04-23-09.pdf, 4. 1D - Planning Commission Minutes 03-12-09.pdf, 5. 1E - Attachment 1-Findings Conditions.pdf, 6. 1F - Staff Memo 06-25-09.pdf, 7. 1G - Staff Handouts for 05-28-09 PC.pdf, 8. 1H - Staff Report.pdf, 9. 1I - Applicant Continuance Request 04-22-09.pdf, 10. 1J - Public Comment.pdf, 11. Email from Michael, 12. McCann Subdiv letter from email of M. Mueller.pdf, 13. Letter and attachments from R. Boylan att'd 7-27-09, 14. Letter from S. Taylor att'd 7-28-09, 15. Memo from Sup. J. Sweeney att'd 7-30-09, 16. 2A - Staff Memo 04-20-10.pdf, 17. letter from Mother Lode Union H.S. attached 5-26-10, 18. letter from Tom Dougherty D.S. attached 5-28-10

Date	Ver.	Action By	Action	Result
5/11/2010	2	Board of Supervisors	Adopted As Amended	Pass
7/28/2009	1	Board of Supervisors	Continued	Pass

**HEARING** - Consider the recommendation of the Planning Commission on Rezone Z07-0033/Planned Development PD07-0020/Tentative Map TM07-1448 on property identified by APN 331-420-12, consisting of 24.3 acres, in the El Dorado area, submitted by Michael, Robin, and Joshua McCann; and recommending the Board take the following actions:  
 1) Adopt the Mitigated Negative Declaration based on the initial study prepared by staff with the revisions identified in Staff Memo dated April 20, 2010;

- 2) Adopt the mitigation monitoring program in accordance with CEQA Guidelines, Section 15074(d), as incorporated in the Conditions of Approval and Mitigation Measures listed in Attachment 1;
- 3) Approve Z07-0033 rezoning APN 331-420-12 from Planned Agricultural 20-Acre (PA-20) to One-Family Residential-Planned Development (R1-PD) and Open Space-Planned Development (OS-PD), based on the findings listed in Attachment 1;
- 4) Approve Planned Development PD07-0020 adopting the Development Plan as the official Development Plan based on the findings and subject to the conditions of approval listed in Attachment 1;
- 5) Approve Tentative Map TM07-1448 based on the findings and subject to the conditions of approval listed in Attachment 1;
- (6) Approve the request for design waiver to reduce the sidewalks from six feet to four feet wide;
- 7) Deny the following design waivers since appropriate findings required in Section 16.40.010 cannot be found to exist: a) to allow Lots 17, 18, 20, 21, 48, 50, 51 and 52 to have less than the required lot widths; and b) to allow flag-shaped lots on Lots 17, 18 and 51; and
- 8) Adopt Ordinance for said rezone. (District III) (Est. Time: 45 Min.) (Cont'd 7/28/09, Item 23)

Background: Request to consider Rezone Z07-0033/Planned Development PD07-0020/Tentative Map TM07-1448/McCann Subdivision submitted by MICHAEL, ROBYNN, and JOSHUA MCCANN to rezone from Planned Agricultural 20-Acre (PA-20) to One-Family Residential-Planned Development (R1-PD) and Open Space-Planned Development (OS-PD); Development Plan and Tentative Subdivision Map to subdivide parcel into 72 single-family residential parcels ranging in size from 6,002 to 16,809 square feet and one 7.5 acre open space lot; and design waivers have been requested for the following: (a) Allow Lots 17, 18, 20, 21, 48, 50, 51, and 52 to have less than the required lot widths; (b) Allow flag-shaped lots on Lots 17, 18, and 51; and (c) Allow sidewalks to be reduced from six feet to four feet in width. The property, identified by Assessors Parcel Number 331-420-12, consisting of 24.3 acres, is located approximately 1,600 feet east of the intersection of Truscott Lane and Union Mine Road, in the El Dorado area, Supervisorial District III. (Mitigated negative declaration prepared)

These applications were considered by the Planning Commission on March 12, 2009; April 23, 2009; May 28, 2009; and on June 25, 2009 were recommended for approval but with denial of two of the design waivers (4-0). The minutes from these meetings are attached.

At the July 28, 2009, Board meeting, the item was continued off-calendar in order to facilitate further community discussion particularly related to General Plan Policies 2.4.1 and 2.5.1. A Staff Memo dated April 20, 2010 outlining this discussion is attached.

Contact: Roger P. Trout (5369)/Pierre Rivas (5331)

Follow-up to COB: Send 2 copies of Minute Order and Ordinance to Dept.