

**ELDORADO COUNTY DEVELOPMENT SERVICES  
PLANNING COMMISSION  
STAFF REPORT**



<b>Agenda of:</b>	May 8, 2008
<b>Item No.:</b>	7.a.
<b>Staff:</b>	Jonathan Fong

**GENERAL PLAN AMENDMENT/REZONE**

**FILE NUMBER:** A07-0013/Z07-0041

**APPLICANT:** El Dorado Hills Community Services District

**AGENT:** Kent Malonson

**REQUEST:** General Plan Amendment and Rezone

General Plan Amendment: The request would amend the General Plan land use designation from Public Facilities (PF) to Commercial (C).

Rezone: The request would amend the Zone District from Open Space (OS) to Commercial with the Planned Development Zoning Overlay (C-PD).

**LOCATION:** The property is located on the east side of Latrobe Road, 1.5 miles south of intersection with U.S. Highway 50, in the El Dorado Hills Area. Supervisorial District I (Exhibit A).

**APN:** 118-020-01

**ACREAGE:** 3.85-acres

**GENERAL PLAN:** Public Facilities (PF) (Exhibit B)

**ZONING:** Open Space (OS) (Exhibit C)

**ENVIRONMENTAL DOCUMENT:** Negative Declaration

**SUMMARY RECOMMENDATION:** Recommend Approval

**BACKGROUND:**

The project parcel is owned by the El Dorado Hills Community Services District (CSD) and is the site of an existing recycling collection facility operated by Waste Connections. A Code Enforcement Violation was filed against the CSD for the operation of a use which is inconsistent with the Zone District. As discussed in the Zoning and General Plan Sections below, the existing recycling facility and existing CSD storage buildings are not permitted uses by right or by Special Use Permit within the PF Zone District.

The CSD initially made applications for a General Plan Amendment (GPA) and Rezone to change the Land Use Designation from PF to Industrial (I) and a Rezone request from OS to Industrial-Design Control (I-DC). Due to the project location along Latrobe Road which is a major arterial in the southwest region of El Dorado County and because additional discretionary review would not be required through the Design Control Zoning Overlay, Planning Services staff recommended that the application be modified to request a Commercial Land Use Designation with the inclusion of the Planned Development Zoning Overlay. The CSD amended the application to include Planning Services staff recommendations.

**ISSUE SUMMARY:** The primary objective of the subject application is to bring the subject site into conformance with the General Plan and Zone District. As discussed below, the Zoning Ordinance allows recycling collection facilities in the Commercial (C), Planned Commercial (CP) and General Commercial (CG) Zone Districts. A Rezone would create a conflict with the existing PF Land Use Designation. Therefore Planning Services is recommending the approval of a General Plan Land Use Designation and Rezone to bring the site into conformance with County Policies.

**STAFF ANALYSIS**

Staff has reviewed the project for compliance with County regulations. Staff's analysis of the zone change request for the Planning Commission to consider is as follows:

**Project Description**

The applicant is requesting to amend the General Plan Land Use Designation from PF to C. A Rezone request is included to amend the Zone District from PF to C-PD.

No development would occur as part of the project. The GPA and Rezone would bring the existing recycling collection facility and CSD storage buildings in conformance with the General Plan Land Use Designation and Zone District.

**Site Description:** The project site is approximately 3.85 acres and has been developed with a recycling facility and CSD storage buildings. The northern half of the site has been developed with the remaining portion of the site undeveloped and characterized by native grasslands. The site is located on the east side of Latrobe Road with approximately 685 feet of the site abutting Latrobe Road. Carson Creek is located directly adjacent to the southeast corner of the site.

The project site is accessed by a common access driveway shared with the existing mini-storage site to the north.

**Adjacent Land Uses:**

	<b>Zoning</b>	<b>General Plan</b>	<b>Land Use/Improvements</b>
<b>Site</b>	OS	PF	Recycling facility, CSD storage buildings
<b>North</b>	R&D	R&D	Existing mini-storage facility
<b>South</b>	PF	MDR/PF	EID water treatment facility
<b>East</b>	PF	C/MDR	EID water treatment facility/ undeveloped Valley View Specific Plan lands
<b>West</b>	R&D	R&D	Existing office buildings

The project is bounded to the north and west by existing commercial land uses. The existing EID water treatment facility bounds the site to the east and south. East of the project site are lands designated as Mixed Open Space (VVMOU). The Valley View Specific Plan defines VVMOU lands as those designated for active open space uses such as playground, schools, daycare sites and parks. The lands within the Valley View Specific Plan are currently undeveloped. Any future development of the CSD property would be approved through the Planned Development process which would ensure that development would be compatible with the VVMOU zoned lands.

**General Plan:** The General Plan designates the project site as Public Facilities (PF). The General Plan defines the PF land use designation as being appropriate for publicly-owned lands for public facilities such as landfills, storage and maintenance yards.

The existing recycling facility and associated CSD storage buildings would be consistent with the PF Land Use Designation. However, the current OS Zone District does not specifically allow for recycling collection facilities. Recycling collection facilities would be permitted within the Commercial, Planned Commercial, or General Commercial Zone Districts. A General Plan Amendment from PF to C would be required to permit the recycling facility and bring the project site into conformance with the General Plan and the Zoning Ordinance.

**General Plan Policy 2.2.5.3** requires the County to evaluate a rezone to determine whether site conditions would support a higher density or high intensity. The Policy directs the County to evaluate the Rezone against 18 specific criteria including but not limited, adequate utility services, emergency access, and environmental impacts. As discussed above, no development would occur as part of the project. All necessary utilities are existing at the site to serve the recycling facility and CSD buildings. All future development would require a Planned Development application which would require full discretionary review of the project and related impacts.

**Conclusion:** The site would be compatible with the C Zone District as any future development would require a Planned Development application to further ensure consistency with applicable General Plan policies.

**Zoning:** The project site is designated as Open Space (OS) which is defined as lands which are generally unimproved and devoted to natural open space, preservation of agricultural production, or contain prime wildlife or habitat. Permitted uses by right include agricultural operations such as livestock grazing and harvesting of crops.

The existing recycling facility and CSD storage buildings would not be permitted by right or by Special Use Permit within the OS Zone District.

Chapter 17.14.160 of the Zoning Ordinance permits recycling collection facilities within Commercial (C), Planned Commercial (CP) or General Commercial (GC) zone districts upon approval of a site plan by the Development Services Director. A Site Plan Review has been completed in conjunction with the subject applications. The Site Plan Review analyzed parking, setbacks, hours of operation, and operational limitations. Planning Services has reviewed the recycling facility and has determined the facility complies with the requirements of the Zoning Ordinance.

The project request includes the Planned Development (PD) zoning overlay. The inclusion of the PD would require all future development of the site to undergo full discretionary review by the Planning Commission. Discretionary review would allow analysis of future development and to determine potential environmental impacts associated with development.

**Conclusion:** The proposed rezone to C-PD would allow the existing recycling facility to be in conformance with applicable provisions of the Zoning Ordinance. The inclusion of the PD zoning overlay would allow the County to authorize discretionary review for all future development of the site.

## **ENVIRONMENTAL REVIEW**

Staff has prepared an Initial Study (Environmental Checklist with Discussion attached) to determine if the project has a significant effect on the environment. Based on the Initial Study, staff finds that there is no substantial evidence that the project could have a significant effect on the environment, and a Negative Declaration has been prepared.

**NOTE:** This project is located within or adjacent to an area which has wildlife resources (riparian lands, wetlands, watercourse, native plant life, rare plants, threatened and endangered plants or animals, etc.), and was referred to the California Department of Fish and Game. In accordance with State Legislation (California Fish and Game Code Section 711.4), the project is subject to a fee of \$1,876.75 after approval, but prior to the County filing the Notice of Determination on the project. This fee, plus a \$50.00 recording fee, is to be submitted to Planning Services and must be made payable to El Dorado County. The \$1,876.75 is forwarded to the State Department of Fish and

Game and is used to help defray the cost of managing and protecting the States fish and wildlife resources.

**RECOMMENDATION:** Planning Services staff recommends the Planning Commission forward the following recommendation to the Board of Supervisors:

1. Adopt the Negative Declaration based on the Initial Study prepared by staff; and
2. Recommend approval of A07-0013/Z07-0041 based on the Findings in Attachment 1.

**SUPPORT INFORMATION**

**Attachments to Staff Report:**

Attachment 1.....Findings of Approval

Exhibit A.....Vicinity Map

Exhibit B.....General Plan Land Use Map

Exhibit C.....Zoning Map

Exhibit D.....Assessor’s Map

Exhibit E.....Site Plan

Exhibit F.....Aerial Photograph

Exhibit G.....Initial Study

**ATTACHMENT 1**  
**FINDINGS**

**FILE NUMBER A07-0013/ Z07-0041**  
**December 13, 2007**

**1.0 CEQA FINDING**

- 1.1 The County has considered the negative declaration together with the comments received and considered during the public hearing process. The negative declaration reflects the independent judgment of the County and has been completed in compliance with CEQA, and is adequate for this proposal.
- 1.2 The proposed project would not have a significant effect on the environment.
- 1.3 The documents and other materials which constitute the record of proceedings upon which this decision is base are in the custody of Planning Services at 2850 Fairlane Court, Placerville, CA.

**2.0 GENERAL PLAN FINDINGS**

- 2.1 The existing Public Facilities (PF) land use designation would be incompatible with the existing recycling collection facilities and storage equipment. The proposed land use amendment to Commercial (C) would allow for the existing land uses.

The proposed land use amendment would not conflict with the implementation of the objectives and specific policies of the General Plan. All future development of the site would require application of a Planned Development which would require compliance with the General Plan.

**3.0 ZONING FINDINGS**

- 3.1 The rezone would allow the existing recycling facilities and storage equipment to be in conformance with the Zoning Ordinance. The proposed rezone would not conflict with applicable sections of the Zoning Ordinance. All future development of the site would require application of a Planned Development which would require compliance with the Zoning Ordinance.