

**EL DORADO COUNTY DEVELOPMENT SERVICES
PLANNING COMMISSION
STAFF REPORT**



Agenda of: June 25, 2009
Item No.: 8
Staff: Aaron Mount

GENERAL PLAN AMENDMENT/REZONE

FILE NUMBER: A08-0014/Z08-0038/Campbell

APPLICANT: Robert James Campbell

REQUEST: The project consists of the following requests:

1. General Plan amendment amending the land use designation from Medium Density Residential (MDR) to Commercial (C) for a portion of APN 327-213-08.
2. Zone change from Single-Family One-Acre Residential District (R1A) to Commercial-Design Community (C-DC) for APN 327-213-06 and a portion of APN 327-213-08.

LOCATION: On the south side of Missouri Flat Road approximately 360 feet west of the intersection with Forni Road in the Diamond Springs area, Supervisorial District III. (Exhibit A)

APN: 327-213-06 and -08 (Exhibit B)

ACREAGE: 13.48 acres

GENERAL PLAN: Commercial (C)/Medium Density Residential (MDR) (Exhibit C)

ZONING: Single-Family One-Acre Residential District (R1A) (Exhibit D)

ENVIRONMENTAL DOCUMENT: Negative Declaration

RECOMMENDATION: Planning Services 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. Approve General Plan amendment application A08-0014 and Rezone application Z08-0038 based on the findings in Attachment 1.

BACKGROUND

The project site consists of two parcels that have historically been used for residential uses. The 2004 General Plan has designated the parcels as Commercial and Medium Density Residential. These parcels are part of the Missouri Flat Commercial Corridor being located within the Missouri Flat Design Guidelines and the Missouri Flat Area MC&FP study areas.

STAFF ANALYSIS

Staff has reviewed the project for compliance with the County's regulations and requirements. An analysis of the proposal and issues for Planning Commission's consideration are provided in the following sections.

Project Description: General Plan amendment from Medium Density Residential (MDR) to Commercial (C) for a portion of APN 327-213-08 and a zone change from Single-Family One-Acre Residential District (R1A) to Commercial-Design Community (C-DC) for APN 327-213-06 and a portion of APN 327-213-08 (Exhibit D). No development is proposed at this time. The amendment would expand the portion of the project site currently designated Commercial matching the alignment of the EID water main and a consistency zone change for the existing and requested Commercially designated portions. The amendment would affect an approximately 2.44 acre portion of the project site expanding the Commercial land use, representing an approximate 0.44 percent increase in the Commercially designated land area within Market Area #3 (Diamond Springs) as analyzed in the El Dorado County General Plan Environmental Impact Report (EIR).

Planning Services has recommended the addition of a Design Community overlay, and the applicant has agreed to the addition, to ensure that specific development impacts are reviewed in a subsequent design review application and consistency with the adopted Missouri Flat Design Guidelines.

The purpose of the Commercial land use designation and Commercial Zone District are to provide a full range of commercial, retail, office, and service uses to serve the residents, businesses, and visitors of El Dorado County.

Site Description: As shown in Table 1 below, the project site is bound by Missouri Flat Road to the north, single-family residences to the north, west, and south, and a commercial site currently under development to the east (Walgreens Commercial Center/PD08-0001). Existing improvements within the property consist of a single-family residence, driveway, and landscaping adjacent to the

residence. The subject and adjacent parcels are within the Diamond Springs – El Dorado Community Region.

Elevation of the project site ranges from approximately 1,720 feet to 1,780 feet above sea level. Topography in the project study area ranges from gentle to steep slopes of a northeastern aspect. The subject site is classified as mixed oak woodland with a majority of the density on the western portion of the project site.

Table 1. Adjacent Land Uses

	Zoning	General Plan	Land Use/Improvements
Site	R1A	C/MDR	Commercial/Residential/Single-family residence/Undeveloped
North	R1A	C	Commercial/Residential/Undeveloped/ Single-family residences
South	R1A	MDR	Residential/Single-family residences/undeveloped
East	CG-PD	C	Commercial/Under commercial development (Walgreens)
West	R1A	C/MDR	Commercial/Residential/Undeveloped/ Single-family residences

Access/Road Improvements: Proposed project access would be via Missouri Flat Road. Future development of the site would most likely trigger the threshold for a traffic study which would analyze the specific impacts. Additionally, the Department of Transportation would recommend appropriate road improvement conditions of approval prior to development plan approval by Planning Services at a future date. Development of the project site would require annexation into the Missouri Flat Area Communities Facilities District, which is a financing district approved by the Board of Supervisors for the Missouri Flat area. The Department of Transportation stated in its comments that the Missouri Flat Corridor may be at capacity until such time that the Phase 2 improvements are completed on the Missouri Flat Interchange.

Fire Protection: Fire protection services would be provided by the Diamond Springs-El Dorado Fire Protection District. Based on comments by the Fire District, the Fire District is supportive of the project provided that specific fire safe issues are addressed at time of development review processing along with the inclusion of appropriate conditions of approval.

Land Use Compatibility: As previously discussed and shown in the “adjacent land uses table” above, the Commercial General Plan land use designation and zone district would be compatible with the existing and proposed surrounding commercial and single-family residential land uses and would not create land use conflicts with surrounding properties. An approximately 3.6 acre portion of APN 327-213-08 will remain designated Medium Density Residential (MDR), that portion adjacent to the existing MDR/residential lands. Future development of the site would require the submittal of a discretionary design review application to ensure compatibility with surrounding land uses and consistency with the Missouri Flat Design Guidelines. As such, the project would be consistent with General Plan Policy 2.2.5.21.

Water Supply and Fire Flow: General Plan Policy 5.2.1.3 requires that commercial development projects be required to connect to a public water system when located within a Community Region. El Dorado Irrigation District would provide water to the project site. According to their letter dated September 16, 2008, the project would require approximately 14 EDUs (equivalent dwelling units) of water. At this time, there are approximately 2,426 EDUs available in the Western/Eastern Water Supply Region as of January 1, 2007. The system would connect to an existing 10-inch waterline located on the project site which would provide the necessary fire flow. The General Plan amendment is being proposed to ensure that future commercial development has adequate access to this water line.

Wastewater Disposal: General Plan Policy 5.3.1.1 requires commercial projects to connect to public wastewater facilities as a condition of approval. The EID has stated in their letter dated September 16, 2008 that there is a 6-inch sewer force main located in Forni Road and a 6-inch gravity sewer line near the intersection of Missouri Flat Road and Marantha Lane. In order to receive service from these lines, an extension of facilities of adequate size must be constructed, as well as a District owned sewer lift station. These sewer lines have adequate capacity at this time.

General Plan:

The General Plan designates the subject site as Medium Density Residential (MDR) and Commercial (C). The MDR land use designation establishes areas suitable for detached single-family residences with larger lot sizes which will enable limited agricultural land management activities. The maximum allowable density is one dwelling unit per acre. The purpose of the Commercial land use designation is to provide a full range of commercial, retail, office, and service uses to serve the residents, businesses, and visitors of El Dorado County.

The requested General Plan Amendment would change the land use designation to Commercial (C) for a portion of the property. A majority of the property is currently designated Commercial. The purpose of this land use category is to provide a full range of commercial, retail, office, and service uses to serve the residents, businesses, and visitors of El Dorado County. Mixed use development of commercial lands within Community Regions and Rural Centers shall be permitted provided the commercial activity is the primary and dominant use of the parcel. Except as provided in Policy 2.2.2.3, this designation is considered appropriate only within Community Regions and Rural Centers. The project parcel is located within the Diamond Springs – El Dorado Community Region.

The amendment from MDR to C for a portion of the subject site would allow for a full range of commercial uses. It would also permit a mixed-use development with a maximum residential density of 10 dwelling units per acre. Within the Community Regions, the mixed uses may occur vertically. As proposed, the Commercial land use designation and zone district would be compatible with the existing and proposed surrounding commercial and single-family residential land uses and would not create land use conflicts with surrounding properties. The site adjoins commercially designated lands and single-family designated lands and is located at the northeast corner of Missouri Flat Road and Forni Road which is an area developing into a regional commercial center. Future development of the site would require the submittal of a discretionary design review

application to ensure compatibility with surrounding land uses. The site is suitable for commercial and mixed use development and the initial study did not find any significant impacts that could be associated with development of the site.

Additionally, the following General Plan policies also apply to this project:

Policy 2.5.2.1 states that neighborhood commercial centers shall be oriented to serve the needs of the surrounding area, grouped as a clustered, contiguous center where possible, and should incorporate but not be limited to the following design concepts as further defined in the Zoning Ordinance.

- A. Maximum first floor building size should be sized to be suitable for the site;
- B. Residential use on second story;
- C. No outdoor sales or automotive repair facilities;
- D. Reduced setback with landscaping and walkways;
- E. Interior parking, or the use of parking structure;
- F. Bicycle access with safe and convenient bicycle storage area;
- G. On-street parking to reduce the amount of on-site parking;
- H. Community bulletin boards/computer kiosks;
- I. Outdoor artwork, statues, etc., in prominent places; and
- J. Pedestrian circulation to adjacent commercial centers.

Discussion: The addition of the design community overlay would ensure that any future development plan is reviewed in light of the above criteria as well as the Missouri Flat Design Guidelines.

Policy 2.2.5.3 requires that the County shall evaluate future rezoning: (1) To be based on the General Plan’s general direction as to minimum parcel size or maximum allowable density; and (2) To assess whether changes in conditions that would support a higher density or intensity zoning district. As shown in Table 2 the specific criteria to be considered include but are not limited to, the following:

Table 2. Rezone Evaluation Criteria

1. <i>Availability of an adequate public water source or an approved Capital Improvement Project to increase service for existing land use demands;</i>	Consistent: A letter from the El Dorado Irrigation District (EID) indicates that there is adequate water availability for the proposed project.
2. <i>Availability and capacity of public treated water system;</i>	Consistent: A letter from the El Dorado Irrigation District indicates that there is adequate water capability to serve the proposed project and that they will be able to serve the project via the existing 10-inch water line that traverses the project site.
3. <i>Availability and capacity of public waste</i>	Consistent: The EID has indicated that it has

	<i>water treatment system;</i>	adequate capacity to serve the proposed project.
4.	<i>Distance to and capacity of the serving elementary and high school;</i>	Consistent: Not applicable, the project is a commercial project and will not generate students. Any mixed use residential development would require further discretionary review that would ensure adequate school capacity.
5.	<i>Response time from nearest fire station handling structure fires;</i>	Consistent: The project site would be served by the Diamond Springs/El Dorado Fire Protection District. The Fire Department maintains a fire station at 501 Main Street in Diamond Springs, which is approximately 1.25 miles from the project site. The District has reviewed the project and has determined the District would be able to provide adequate fire protection to the site.
6.	<i>Distance to nearest Community Region or Rural Center;</i>	Consistent: The project parcel is located within the Diamond Springs – El Dorado Community Region.
7.	<i>Erosion hazard;</i>	Consistent: Under Policy 7.3.2.2, projects requiring a grading permit shall have an erosion control program approved, where necessary. No grading is proposed with the amendment and rezone application. Future development must adhere to the County’s grading and erosion control requirements.
8.	<i>Septic and leach field capability;</i>	Consistent: The project parcels would be required to connect to existing public water and sewer. Public water and sewer capability is discussed under criteria 1-3 above.
9.	<i>Groundwater capability to support wells;</i>	Consistent: The project parcels would be required to connect to existing public water and sewer. Public water and sewer capability is discussed under criteria 1-3 above. .
10.	<i>Critical flora and fauna habitat areas;</i>	Consistent: As discussed in the Initial Study, the project parcel is not in any designated areas for these criteria.
11.	<i>Important timber production areas;</i>	Consistent: As discussed in the Initial Study, the project parcel is not in any designated areas for these criteria.
12.	<i>Important agricultural areas;</i>	Consistent: As discussed in the Initial Study, the project parcel is not in any designated areas for these criteria.
13.	<i>Important mineral resource areas;</i>	Consistent: As discussed in the Initial Study, the project parcel is not in any designated areas for

	these criteria.
14. <i>Capacity of the transportation system serving the area;</i>	Consistent: The Department of Transportation has reviewed and determined that implementation of any future required road improvements, completion of the Caltrans improvements at Missouri Flat Road/Highway 50 interchange, and payment of Traffic Impact Mitigation Fees prior to building permit issuance would reduce impacts to the existing traffic system in the area to less than significant levels. The project site is bordered by Missouri Flat Road which is major four lane divided road. Comments were received from the Department of Transportation detailing proposed conditions that would apply to future development. Therefore, the conversion to a commercial designation would be consistent with Goal TC-X as it represents an approximate 0.44 percent increase in the commercially designated land area within Market Area #3 (Diamond Springs) as analyzed in the El Dorado County General Plan Environmental Impact Report (EIR).
15. <i>Existing land use pattern;</i>	Consistent: The project site is bound by Missouri Flat Road to the north, single-family residences and undeveloped land to the south and west, and a commercial site to the east. As proposed, the Commercial General Plan land use designation and zone district would be compatible with the existing and proposed surrounding commercial and single-family residential land uses and would not create land use conflicts with surrounding properties. The site adjoins commercially designated lands and single-family designated lands and is located on Missouri Flat Road which is an area developing into a commercial center. Existing commercial land uses are located immediately to the east of the subject site. The amendment from medium density residential to commercial would be consistent with the land use pattern.
16. <i>Proximity to perennial watercourse</i>	Consistent: There are no perennial water courses on the project site. The closest perennial water course is Weber Creek, located approximately 0.5 miles north of the site.
17. <i>Important historical/archeological sites</i>	Consistent: A cultural resources investigation of

	the project site did not identify any archaeological or historic features.
18. <i>Seismic hazards and present of active faults</i>	Consistent: As shown in the Division of Mines and Geology’s publication Fault Rupture Hazard Zones in California, there are no Alquist-Priolo Special Studies Zones mapped in El Dorado County. The impacts from fault ruptures, seismically induced ground shaking, or seismic ground failure, or liquefaction are considered to be less than significant. Any potential impact caused by locating buildings in the project area would be offset by the compliance with the Uniform Building Code earthquake standards.
19. <i>Consistency with existing Conditions, Covenants, and Restrictions</i>	Consistent: The project parcel does not have any existing CC&Rs. CC&Rs may be required for future development.

Policy 10.1.5.5 directs that the County recognize and promote the need to create greater opportunities for El Dorado County residents to satisfy retail shopping demands in El Dorado County.

Discussion: The General Plan Amendment for a portion of the property to a Commercial land use designation and related zone change request would designate additional land at an appropriate location to accommodate needed retail and commercial development.

Conclusion: As discussed above, staff finds that the project, as proposed/conditioned, conforms to the General Plan.

Zoning:

The project includes a rezone request which would amend the zoning district of APN 327-213-06 and a portion of APN 327-213-08 from R1A to Commercial-Design Community and is consistent with the request for a General Plan amendment from MDR to C. The subject parcel is consistent with the development standards for the proposed C zone district. Specifically Ordinance section 17.32.040 specifies a minimum parcel size of 5,000 square feet. APN 327-213-06 is .96 of an acre and the portion of APN 327-213-08 which would be within the C zone district would be approximately 8.93 acres, which greatly exceeds the minimum.

ENVIRONMENTAL REVIEW

Staff has prepared an Initial Study (attached as Exhibit G) to determine if the project has a significant effect on the environment. The existing portion of the subject site that is designated Commercial in the El Dorado County General Plan has been analyzed in the Missouri Flat Area MC&FP EIR (State Clearinghouse Number 97092074). The initial study analyzes the 2.44 acre

portion of the property that would be amended from Medium Density Residential to Commercial and the consistency zone change. Based on the Initial Study, staff has determined that there is no substantial evidence that the proposed project would 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.). In accordance with State Legislation (California Fish and Game Code Section 711.4), the project is subject to a fee of \$1,993.00 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 \$1,993.00 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. However, staff has determined that the project would have no impact on biological resources. Potential impacts to biological resources would be further evaluated at time of design review application submittal. As such, the applicant may request a “No Effect Determination Form” from the California Department of Fish and Game to waive payment of said fee.

SUPPORT INFORMATION

Attachments:

Attachment 1	Findings
Exhibit A	Vicinity Map
Exhibit B	Assessor’s Map Bk. 327 Pg. 21
Exhibit C	General Plan Land Use Map
Exhibit D	Proposed General Plan Land Use Map
Exhibit E	Zoning Map
Exhibit F	Site Plan
Exhibit G	Facility Improvement Letter from EID
Exhibit H	Environmental Checklist

ATTACHMENT 1

FINDINGS

General Plan Amendment and Rezone A08-0014/Z08-0038 Planning Commission/June 25, 2009

Based on the review and analysis of this project by staff and affected agencies, and supported by discussion in the staff report and evidence in the record, the following findings should be made:

FINDINGS FOR APPROVAL

1.0 CEQA Findings

- 1.1 El Dorado County has considered the Negative Declaration together with the comments received and considered during the public review process. The Negative Declaration reflects the independent judgment of the Planning Commission and has been completed in compliance with CEQA and is adequate for this proposal.
- 1.2 No significant impacts to the environment as a result of this project were identified in the initial study.
- 1.3 The documents and other materials which constitute the record of proceedings upon which this decision is based are in the custody of the Development Services Department - Planning Services at 2850 Fairlane Court, Placerville, CA, 95667.

2.0 General Plan Findings

- 2.1 The proposed General Plan Amendment from Medium Density Residential to Commercial is consistent with all applicable policies of the General Plan including 2.2.1.2 (land use type and density), 2.2.5.21 (land use compatibility), 2.5.2.1 (commercial facilities), 5.2.1.3 (public water system connection), 5.7.1.1 (fire protection), and 10.1.5.5 (retail development opportunity) because of the location in a Community Region, existing and proposed land use pattern adjacent to the site, design review submittal requirement, the current availability of supporting utilities and infrastructure, proximity to emergency responders, and the County's intent to maintain an adequate supply of sites for retail opportunities.
- 2.2 In accordance with State law and pursuant to General Plan Policy 2.2.5.3, the County has evaluated the subject rezoning request based on the General Plan's general direction as to minimum parcel size or maximum allowable density and to assess whether changes in conditions are present that would support a higher density or intensity zoning district. The 19 specific criteria found within General Plan Policy 2.2.5.3 have been analyzed with regards to the above-referenced zone change request. Based on this analysis and the conclusions

reached in the staff report, the site is found to be suitable to support the proposed density and use.

3.0 Zoning Findings

- 3.1 A rezone to Commercial – Design Community will allow the property to be consistent with the proposed and existing General Plan designation of Commercial.
- 3.2 The rezone will meet the intentions of Policy 2.2.5.2 because the establishment of a new zone designation of Commercial – Design Community (C – DC) and the ensuing uses it allows is consistent with the allowed uses intended by the Commercial (C) land use designation.
- 3.3 The rezone would meet the intentions of Policy 2.2.5.3 because the location in a Community Region, the current availability of supporting utilities and infrastructure, proximity to emergency responders, and the existing and proposed land use pattern.
- 3.4 The proposed project is consistent with the El Dorado County Zoning Ordinance designation of Commercial (C) and the development standards within Section 17.32.040.