

COUNTY OF PLACER
Community Development Resource Agency

John Marin, Agency Director

PLANNING

Michael J. Johnson
Planning Director

MEMORANDUM

TO: Honorable Board of Supervisors
FROM: Michael J. Johnson, Planning Director
DATE: August 26, 2008
SUBJECT: OAKWOOD ESTATES – REZONING AND MINOR LAND DIVISION (PMLD T20070721)

ACTION REQUESTED

The Board is being asked to consider a request from Richard Bryant to rezone a 9.95-acre parcel (2740 Humphrey Road, Loomis) from RA-B-X-10 acre minimum (Residential Agricultural, combining a minimum building site of 10 acres) to RA-B-X-4.6 acre minimum (Residential Agricultural, combining a minimum building site of 4.6 acres), consistent with the existing General Plan land use designation for the project site. It is staff's recommendation that the Board approve the rezone request, as recommended by the Planning Commission.

BACKGROUND

Project Site

The project site is located on the west side of Humphrey Road, approximately 0.10 mile south of the intersection of Humphrey Road and Colwell Road, in the Loomis area (APN: 032-091-020). The 9.95-acre parcel is relatively level and covered with oak woodlands, annual grasslands, and irrigated pasture. The site is absent of any wetlands or waters of the United States. Existing development on-site includes a single-family residence, a barn structure, and a private driveway.

Project Description

The applicant proposes to rezone the project site, currently zoned RA-B-X-10 acre minimum (Residential Agricultural, combining a minimum building site of 10 acres) to RA-B-X-4.6 acre minimum (Residential Agricultural, combining a minimum building site of 4.6 acres), in a manner consistent with the current General Plan land use designation, in order to divide the property into two parcels. There is an existing single-family residence that would remain on the 5.10 acre parcel, and the property owner proposes to construct a new residence on the 4.85 acre parcel. The project would utilize private septic systems to provide sewer service and connect to Placer County Water Agency for potable water sources. The existing driveway access off Humphrey Road that serves the existing residence would be improved to serve both parcels.

PLANNING COMMISSION ACTION

On June 26, 2008, the Planning Commission unanimously approved (4:0, Stafford and Denio absent) the Tentative Parcel Map and adopted the Mitigated Negative Declaration for the Oakwood Estates project, with an added condition that requires the property owner to provide a 15-foot irrevocable offer of dedication for a multipurpose trail located parallel to Humphrey Road. The Planning Commission also forwarded a recommendation to the Board of Supervisors to approve the Rezoning.

DISCUSSION OF ISSUES

Community Plan/Zoning Consistency

The proposed rezoning from RA-B-X 10 ac. min. (Residential Agricultural, combining minimum building site of 10 acres) to RA-B-X 4.6 ac. min. (Residential Agricultural, combining minimum building site of 4.6 acres minimum) is consistent with the current General Plan land use designation for the project site, and is in keeping with the zoning pattern in the area. The property to the east (across Humphrey Road) is similarly zoned RA-B-X 4.6 acre minimum and surrounding parcels along Humphrey Road are compatible, ranging in size from 1 to 10 acres.

A General/Community Plan Amendment would not be required, as the proposed rezoning would be consistent with the existing Horseshoe Bar/Penryn Community Plan designation of Rural Estate (RE 4.6 – 20 acre minimum). This designation was applied to those areas subject to physical constraints (i.e., soils, geology, hydrologic considerations) and man-made constraints (lack of adequate road infrastructure, public sewer and water systems) where lot sizes are large enough to ensure that the long-term use of individual sewage disposal systems can be provided while protecting both groundwater and surface water from deterioration, and maintaining minimum public health standards. In this particular case, a minimum parcel size of 4.85± acres is large enough to comply with safe health standards for water and sewage disposal.

ENVIRONMENTAL CLEARANCE

A Mitigated Negative Declaration (PMLD T20070721) has been prepared for this project and has been finalized pursuant to California Environmental Quality Act (CEQA). On June 26, 2008, the Planning Commission found that the project had satisfied the requirements of CEQA, and recommended approval of a Mitigated Negative Declaration in conjunction with the project approval. Action by the Board to approve the rezone would constitute the final action.

RECOMMENDATION

Staff brings forward the Planning Commission's recommendation that the Board of Supervisors approve the Rezoning request, subject to the findings noted below:

FINDINGS

CEQA:

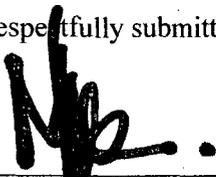
1. The Mitigated Negative Declaration has been prepared as required by law. With the incorporation of all mitigation measures, the project is not expected to cause any significant adverse impacts. Mitigation measures include, but are not limited to: on-site replanting of native trees on-site and/or payment of fees into the County's Tree Preservation Fund, use of Best Management Practices, and other mitigation measures as outlined in the conditions of approval.
2. There is no substantial evidence in the record as a whole that the Project, as revised and mitigated, may have a significant effect on the environment.
3. The Mitigated Negative Declaration as adopted for the project reflects the independent judgment and analysis of Placer County, which has exercised overall control and direction of its preparation.

4. The custodian of records for the Project is the Placer County Planning Director, 3091 County Center Drive, Suite 140, Auburn, CA 95603.

Rezone:

1. The proposed RA-B-X-4.6 acre minimum zoning is consistent with the Horseshoe Bar/Penryn Community Plan and compatible with the objectives, goals and policies contained therein.
2. The proposed RA-B-X-4.6 acre minimum zoning is compatible with the general land use and parcel sizes in the surrounding area.

Respectfully submitted,



MICHAEL J. JOHNSON, AICP
Planning Director

ATTACHMENTS:

- Exhibit A - Vicinity Map
- Exhibit B - Rezone Ordinance
- Exhibit C - Rezone exhibit
- Exhibit D - Tentative Parcel Map
- Exhibit E - Approved Conditions of Approval
- Exhibit F - Mitigated Negative Declaration (PMLD T20070721)
- Exhibit G - Mitigation Monitoring Program

cc: Richard Bryant – Applicant

Copies Sent by Planning:

- Ted Rel - Engineering and Surveying Division
- Grant Miller - Environmental Health Services
- Air Pollution Control District
- Vance Kimbrell - Parks Department
- Christa Darlington - County Counsel
- Michael Johnson - Planning Director
- John Marin – CDRA Director
- Subject/chrono files