



COUNTY OF PLACER
Community Development/Resource Agency

Michael J. Johnson, AICP
Agency Director

PLANNING

TO: Honorable Board of Supervisors

FROM: Michael J. Johnson, Community Development Resource Agency Director

DATE: December 14, 2010

SUBJECT: ENCLAVE AT GRANITE BAY (PSUB T20080329) - GENERAL PLAN AMENDMENT, REZONE, AND MITIGATED NEGATIVE DECLARATION/APPEAL OF THE PLANNING COMMISSION'S DECISION TO RECOMMEND DENIAL OF THE PROJECT TO THE BOARD OF SUPERVISORS (CONTINUED FROM NOVEMBER 23, 2010 MEETING)

ACTION REQUESTED

The Board is being asked to consider a request for a General Plan Amendment and Rezone to allow for the development of a 12.07-acre site in Granite Bay. The Board will also consider an appeal from Camille Courtney, Rancho Cortina Properties, Inc., on behalf of Pastor Land Development, Inc., of the Planning Commission's decision to recommend denial of the project. It is staff's recommendation that the Board take the following actions: 1) Adopt the Mitigated Negative Declaration; 2) Approve a General Plan Amendment and Rezone to allow for development of up to 1.1 units per acre on the site, and; 3) Deny the appeal without prejudice and allow the applicant to re-submit a modified project consistent with the new General Plan land use designation and zoning designation.

BACKGROUND

On November 16, 2010, Camille Courtney submitted a letter with a revised Vesting Tentative Subdivision Map to the Planning Department (Attachment 1). The revised map depicts 13 residential lots, which is half of the 26 residential lots originally proposed for the project site. The applicant indicated that the revised map would still require a General Plan Amendment and Rezone, but at a lesser density. The project would be developed as a Planned Residential Development with lot sizes consistent with adjacent parcels to the east of the project site. The applicant requested that the revised map be considered by the Board of Supervisors at its November 23, 2010 meeting.

Board of Supervisor's Action

On November 23, 2010, the Board of Supervisors considered an appeal from Camille Courtney, on behalf of Pastor Land Development, Inc., of the Planning Commission's denial of a Vesting Tentative Subdivision Map, Conditional Use Permit, and Tree Permit (removal of Landmark Cottonwood trees), and the Planning Commission's decision to recommend denial of the General Plan Amendment and Rezone for the development of a 26-lot Planned Residential Development on a 12.07-acre parcel in Granite Bay.

At the hearing, the applicant explained to the Board that the property owner was not interested in moving forward with a project that did not have the support of the local Supervisor. In an effort to reach a compromise, the applicant prepared a new map that is consistent with the land use located immediately to the east of the project site (Rural Low Density Residential .9 -2.3 acre minimum). Staff indicated that the revised map would need to be analyzed by staff, reviewed by the Granite Bay MAC, and then reconsidered by the Planning Commission.

Although the Board was not in a position to take action on the newly submitted map, the Board did take action in regards to the change in land use and directed staff to come back at the Board's December 14, 2010 meeting with the necessary information to consider a General Plan Amendment and Rezone, consistent with the applicant's request that the Rural Low Density Residential land use to the east be extended to the project site.

DISCUSSION OF ISSUES:

General Plan/Zoning Consistency

The applicant is requesting that the Board of Supervisors change the land use on the project site to allow for the development of up to 13 residential lots. The requested entitlements include: 1) General Plan Amendment to change the Granite Bay Community Plan Land Use Designation from Rural Residential (2.3-4.6 ac.min.) and Rural Low Density Residential (0.9-2.3 acre minimum) to all Rural Low Density Residential (0.9 – 2.3 acres per dwelling unit); and 2) a Rezoning from RA-B-100 (Residential Agriculture combining a minimum building size of 100,000 square feet or 2.3 acres minimum) and RS-AG-B-40 (Residential Single Family combining Agriculture minimum building site of 40,000 square feet) to RS-AG-B-40 PD 1.3 (Residential Single Family, combining Agriculture, combining a minimum building size of 40,000 square feet, combining Planned Development 1.3 units per acre).

The *Rural Residential* land use designation was intended to preserve the rural character of specific areas within the Granite Bay community by allowing agricultural uses including animal husbandry, particularly the recreational use of horses; and providing home sites for that portion of the population that needs or wants larger lots and a rural environment in which to live and raise a family, yet does not need a larger parcel of land to enjoy the rural atmosphere. This land use covers a large area south of Douglas Boulevard and well beyond Eureka Road. The project site is located at the most southerly end of this area.

The land use on the project site is proposed to be changed to *Rural Low Density Residential* which has been identified in the Granite Bay Community Plan as a transition zone between clearly rural areas and large lot suburban projects. This land use designation is intended to provide for a wide variety of housing in terms of cost, style, and size, while at the same time, still allowing for equestrian and small hobby farm areas, and preserving the rural character of the area. The *Rural Low Density Residential* land use designation already exists on adjacent properties to the east (along Pastor Drive) and properties to the west, with the exception of the school site. This land use would suit the project site well, as it is clearly located within a transition zone between the existing Treelake development to the south (Low Density Residential) and the rural, large-lot residential uses to the north (Rural Residential).

The project site is proposed to be rezoned to RS-AG-B-40 PD 1.3 (Residential Single Family, combining Agriculture, combining a minimum building size of 40,000 square feet, combining Planned Development 1.3 units per acre). This would be an extension of the RS-AG-B-40 zone

district located southwest of the project site. The inclusion of the "PD 1.3" combining district would allow the 12.07-acre project site to be developed as a Planned Residential Development (PD) with up to 13 residential lots. A revised Tentative Subdivision Map consistent with this zoning would be subject to the County's standard review process, the environmental document would be revisited, the project would be presented before the Granite Bay MAC, and the Planning Commission would consider the revised Tentative Subdivision Map and associated Conditional Use Permit. At this time, however, the Board is being asked to only change the land use and zoning designation on the project site.

Landmark Cottonwood Trees

The applicant had originally requested that the Board authorize the removal of the Landmark Cottonwood trees in order to allow for access to the project site (Elmhurst drive). More importantly, the applicant cited safety concerns due to the age and size of the trees and the potential for branch failure and risk to pedestrians and/or vehicles. These concerns were based on two Arborist reports prepared for the applicant that had provided somewhat different assessments on the trees. In order to assess if there was any imminent risk to the public, the County contracted with North Fork Associates to conduct a peer review of these reports to determine if any corrective action needed to be taken. North Fork Associates concluded that although the Cottonwood trees are very large, there were several corrective actions that could be taken to significantly reduce the hazard potential and improve the structure of the trees. In addition, the Arborist report indicated that the Landmark Cottonwood trees would remain in fairly good health if the recommended maintenance is performed and there is no disturbance to the root zone of the trees. Although the Board is only considering a land use change at this time, the Board may want to consider removal of the trees if it is determined that they present a safety hazard to the public, or the Board may defer such decision until such time a Tentative Subdivision Map is considered for this site.

CEQA COMPLIANCE:

A Mitigated Negative Declaration has been prepared and finalized pursuant to the requirements of the California Environmental Quality Act (CEQA). The Mitigated Negative Declaration is attached (Attachment 3) and must be found adequate by the decision-making body to satisfy the requirements of CEQA. A recommended finding for this purpose is attached.

CONCLUSION/RECOMMENDATION

Based on previous direction from the Board, staff has provided the necessary information to consider a General Plan Amendment and Rezone, consistent with the applicant's request that the Rural Low Density Residential land use to the east be extended to the project site. As such, Staff is recommending that the Board of Supervisor's take the following actions in consideration of this project:

1. Adopt the Mitigated Negative Declaration attached hereto as Attachment 3 based upon the following findings:
 - A. The Mitigated Negative Declaration for the Enclave at Granite Bay Subdivision project 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: the payment of traffic mitigation fees to reduce transportation and circulation impacts, the installation of

BMPs for water quality impacts; the payment of in-lieu fees into the County's Tree Preservation fund for the loss of native trees, the payment into a wetland mitigation bank for the loss of wetlands, and preconstruction surveys for the western spadefoot toad.

- B. 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.
 - C. 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.
 - D. The mitigation plan/mitigation monitoring program prepared for the project is approved and adopted.
 - E. The custodian of records for the project is the Placer County Planning Director, 3091 County Center Drive, Suite 140, Auburn CA, 95603.
2. Adopt the resolution as set forth in Attachment 4 approving a General Plan Amendment to change the land use designation for a 12.07 acre site from Rural Residential (2.3-4.6 ac.min.) and Rural Low Density Residential (0.9-2.3 acre minimum) to all Rural Low Density Residential (0.9 – 2.3 acres per dwelling unit), as shown and described in Exhibit A attached thereto, based upon the following findings;
- A. The change in the Granite Bay Community Plan Designation from Rural Residential (2.3-4.6 ac.min.) and Rural Low Density Residential (0.9-2.3 acre minimum) to all Rural Low Density Residential (0.9-2.3 acre minimum) is consistent with the character of the area in which the project is located and will provide an adequate transition between the rural, large-lot residential uses to the north and the existing Treelake development to the south, which is comprised of smaller, suburban type lots.
 - B. The Granite Bay Community Plan did not contemplate the need for housing types that would accommodate residents that are looking to downsize but remain in the community and it is recognized that there is value in providing another type of housing in areas immediately adjacent to existing residential development and close proximity to public services, while at the same time preserving the overall character of the larger Granite Bay Community Plan area.
3. Adopt the ordinance as set forth in Attachment 5 approving the Rezone of APN's 050-020-009, 050-020-010, 050-020-011, and 466-080-013 from RA-B-100 (Residential Agriculture combining a minimum building size of 100,000 square feet or 2.3 acres minimum) and RS-AG-B-40 (Residential Single Family combining Agriculture minimum building site of 40,000 square feet) to RS-AG-B-40 PD 1.3 (Residential Single Family, combining Agriculture, combining a minimum building size of 40,000 square feet, combining Planned Development 1.3 units per acre), as shown and described in Exhibit A attached thereto, based upon the following findings;

- A. The zoning, as amended through this action, is consistent with applicable policies and requirements of the Granite Bay Community Plan and is consistent with the land uses in the immediate area.
 - B. The proposed zoning would not represent spot zoning and would not be contrary to the orderly development of the area, as the proposed zoning would allow the entire project to be developed as a Planned Residential Development.
4. Deny the appeal of Camille Courtney, on behalf of Pastor Land Development, Inc., without prejudice, in order to allow the applicant to re-submit a modified Tentative Subdivision Map consistent with the General Plan Amendment and Rezone approved by the Board of Supervisors.

ATTACHMENTS:

- Attachment 1: Letter from Camille Courtney dated 11-16-10
- Attachment 2: Vicinity Map
- Attachment 3: Mitigated Negative Declaration
- Attachment 4: Proposed Resolution - General Plan Amendment
- Attachment 5: Proposed Ordinance - Rezone
- Attachment 6: Correspondence

cc: Pastor Land Development Inc. – Property Owner
Camille Courtney, Rancho Cortina Properties, Inc. – Applicant

Copies Sent By Planning:

Michael Johnson – Community Development Resources Agency Director
Paul Thompson – Deputy Planning Director
Rebecca Taber – Engineering and Surveying Department
Janelle Heinzen – Engineering and Surveying
Grant Miller – Environmental Health Services
Yu-Shuo Chang – Air Pollution Control District
Andy Fisher – Parks Department
Scott Finley – County Counsel