

Item 2

STAFF REPORT TO: AMADOR COUNTY PLANNING COMMISSION FOR MEETING OF FEBRUARY 11, 2014.

ITEM - PUBLIC HEARING – REQUEST FOR ZONE CHANGE FROM THE “R1,” SINGLE FAMILY RESIDENTIAL DISTRICT TO THE “C-2,” HEAVY COMMERCIAL DISTRICT (APN: 044-030-005).

APPLICANT: Marques Family Trust
SUPERVISORIAL DISTRICT I

LOCATION: on the north side of Martell Rd, approximately 150 west of the Hwy 49 intersection in the Martell area, being 12391 Martell Road.

- A. DESCRIPTION:** This application is a request for a Zone Change to allow for expanded, by-right uses consistent with development in the Martell commercial area. The proposed zoning district is supported by the current General Plan designation of I – Industrial as well as the proposed General Plan designation as a Regional Service Center. The property is currently developed with two single-family homes and is surrounded by high-density commercial development, most of which is already zoned “C-2.”

- B. STAFF/TAC REVIEW:** This project was reviewed by County departments and the Technical Advisory Committee which found no technical objections to the Planning Commission recommending approval of the Zone Change to the Board of Supervisors along with the adoption of a Notice of Exemption.

- C. PLANNING COMMISSION ACTION:** The first action of the Planning Commission should be a decision on the adequacy of the environmental document, proposed to be a Notice of Exemption (Categorically Exempt per Section 15183) because the zone change is consistent with the current and proposed General Plan designations for the area. Next, the Commission must make a recommendation on the requested Zone Change to the Board of Supervisors.

- D. FINDINGS:** If the Planning Commission recommends approval of this project, the following findings are recommended for adoption:
 - 1. The Zone Change is consistent with the surrounding land uses and the Amador County General Plan, Land Use Element at this location; and,

 - 2. A review of the proposal was conducted by staff who, through their own research, found that the Zone Change will not have a significant effect on the environment and is Categorically Exempt from CEQA per Section 15183. Therefore, a Notice of Exemption will be adopted and filed with the County Recorder.



PLANNING DEPARTMENT
LAND USE AGENCY
COUNTY ADMINISTRATION CENTER

810 Court Street • Jackson, CA 95642-2132
Telephone: (209) 223-6380

website: www.co.amador.ca.us
e-mail: planning@co.amador.ca.us

APPLICATION FOR ZONE CHANGE

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OCT - 3 2013

PLANNING DEPARTMENT

Application for a zoning change shall include the following:

1. A. Name of Property Owner JOLYN MARQUES
Mailing Address 10476 MARIPOSA AVE.
JACKSON, CA 95642
Phone Number 209-223-1861

- B. Name of Applicant JOLYN MARQUES
Mailing Address 10476 MARIPOSA AVE.
JACKSON, CA 95642
Phone Number 209-223-1861

- C. Name of Representative JOHN MARK HARDY SR.
Mailing Address P.O. BOX 1765
SUTTER CREEK, CA 95685
Phone Number 209-601-6479

2. Assessor Parcel Number(s) APN 044-030-005-000
3. Letter of application explaining purpose of request, description of proposed uses, and other pertinent information. **Note: It is to your benefit to be as specific as possible with your application information.**
4. Letter of authorization if landowner is being represented by another party.
5. Submit a plot plan of parcel showing location of project in relation to property lines and any existing structures/improvements (roads, parking areas, etc.) on the property as well as all proposed structures/improvements (may wish to make separate maps). NOTE: An Assessor Plat Map can be obtained from the Surveying and Engineering Department (500 Argonaut Lane, Jackson, CA) for the purpose of aiding in drawing of the plot plan.
6. Copy of deed(s) to property.
7. Completed Environmental Information Form and Indemnification Agreement.
8. Filing fee of \$ 1034 (see attached schedule of fees).
9. Application Form to be signed at the time of project presentation in the Planning Department.

INDEMNIFICATION

Project: _____

In consideration of the County's processing and consideration of the application for the discretionary land use approval identified above (the "Project") the Owner and Applicant, jointly and severally, agree to defend, indemnify, and hold harmless the County of Amador from any claim, action, or proceeding against the County to attack, set aside, void or annul the Project approval, or any action relating related to the Project approvals as follows:

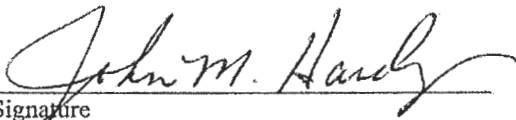
1. Owner and Applicant shall defend, indemnify, and hold harmless the County and its agents, officers or employees from any claim, action, or proceeding against the County or its agents, officers or employees (the "County") to attack, set aside, void or annul the Project approval, or any prior or subsequent determination regarding the Project, including but not limited to determinations related to the California Environmental Quality Act, or Project condition imposed by the County. The Indemnification includes, but is not limited to, damages, fees, and or costs, including attorneys' fees, awarded against County. The obligations under this Indemnification shall apply regardless of whether any permits or entitlements are issued.

2. The County may, within its unlimited discretion, participate in the defense of any such claim, action, or proceeding if the County defends the claim, action, or proceeding in good faith.

3. The Owner and Applicant shall not be required to pay or perform any settlement by the County of such claim, action, or proceeding unless the settlement is approved in writing by Owner and Applicant, which approval shall not be unreasonably withheld.

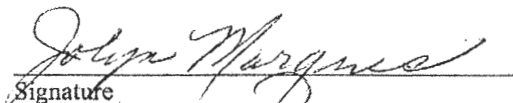
IN WITNESS WHEREOF, by their signature below, Owner and Applicant hereby acknowledge that they have read, understand, and agree to perform the obligations under this Indemnification.

Applicant:



Signature

Owner (if different than Applicant):



Signature

ENVIRONMENTAL INFORMATION FORM

(To be completed by applicant; use additional sheets as necessary.)
Attach plans, diagrams, etc. as appropriate.

GENERAL INFORMATION

Project Name: MARQUES ZONE CHANGE "R1" to "C2"

Date Filed: 10-3-13 File No. ZC-13,10-1

Applicant/ Developer JOHN M. HARDY Landowner JOLYN MARQUES
Address BX 1765 Address 10476 HARIPOSA AVE.
SUTTER CREEK, CA 95685 JACKSON, CA 95642
Phone No. 209-601-6479 Phone No. 209-223-1861

Assessor Parcel Number(s) 044-030-018-000
Existing Zoning District "R1"
Existing General Plan I

List and describe any other related permits and other public approvals required for this project, including those required by city, regional, state, and federal agencies: PLANNING DEPT. (AMADOR CO.) ZONING CHANGE.

WRITTEN PROJECT DESCRIPTION (Include the following information where applicable, as well as any other pertinent information to describe the proposed project):

- 1. Site Size
- 2. Square Footage of Existing/Proposed Structures
- 3. Number of Floors of Construction
- 4. Amount of Off-street Parking Provided (provide accurate detailed parking plan)
- 5. Source of Water
- 6. Method of Sewage Disposal
- 7. Attach Plans
- 8. Proposed Scheduling of Project Construction
- 9. If project to be developed in phases, describe anticipated incremental development.
- 10. Associated Projects
- 11. Subdivision/Land Division Projects: Tentative map will be sufficient unless you feel additional information is needed or the County requests further details.
- 12. Residential Projects: Include the number of units, schedule of unit sizes, range of sale prices or rents and type of household size expected.
- 13. Commercial Projects: Indicate the type of business, number of employees, whether neighborhood, city or regionally oriented, square footage of sales area, and loading facilities.
- 14. Industrial Projects: Indicate type, estimated employment per shift, and loading facilities.
- 15. Institutional Projects: Indicate the major function, estimated employment per shift, estimated occupancy, loading facilities, and community benefits to be derived from the project.
- 16. If the project involves a variance, conditional use permit, or rezoning application, state this and indicate clearly why the application is required.

ADDITIONAL INFORMATION Are the following items applicable to the project or its effects? Discuss below all items checked "yes" (attach additional sheets as necessary).

YES NO

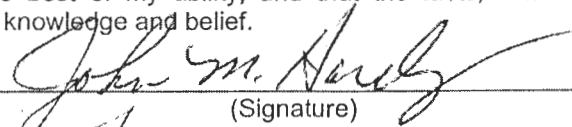
- 17. Change in existing features or any lakes or hills, or substantial alteration of ground contours.
- 18. Change in scenic views or vistas from existing residential areas, public lands, or roads.
- 19. Change in pattern, scale, or character of general area of project.
- 20. Significant amounts of solid waste or litter.
- 21. Change in dust, ash, smoke, fumes, or odors in the vicinity.
- 22. Change in lake, stream, or ground water quality or quantity, or alteration of existing drainage patterns.
- 23. Substantial change in existing noise or vibration levels in the vicinity.
- 24. Site on filled land or has slopes of 10 percent or more.
- 25. Use or disposal of potentially hazardous materials, such as toxic substances, flammables, or explosives.
- 26. Substantial change in demand for municipal services (police, fire, water, sewage, etc.).
- 27. Substantially increase fossil fuel consumption (electricity, oil, natural gas, etc.).
- 28. Does this project have a relationship to a larger project or series of projects?

ENVIRONMENTAL SETTING

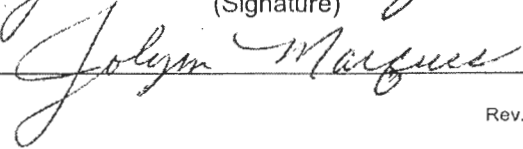
- 29. Describe the project site as it exists before the project, including information on topography, soil stability, plants and animals, and any cultural, historical or scenic aspects. Describe any existing structures on the site, and the use of the structures. Attach photographs of the site (cannot be returned).
- 30. Describe the surrounding properties, including information on plants and animals and any cultural, historical, or scenic aspects. Indicate the type of land use (residential, commercial, etc.), intensity of land use (one family, apartment houses, shops, department stores, etc.), and scale of development (height, frontage, setback, rear yard, etc.). Attach photographs of the vicinity (cannot be returned).
- 31. Describe any known mine shafts, tunnels, air shafts, open hazardous excavations, etc. Attach photographs of any of these known features (cannot be returned).

Certification: I hereby certify that the statements furnished above and in the attached exhibits present the data and information required for this initial evaluation to the best of my ability, and that the facts, statements, and information presented are true and correct to the best of my knowledge and belief.

Date 10-3-13



 (Signature)

For 

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Jolyn Marques
10476 Mariposa Ave.
Jackson, CA 95642

October 1, 2013


RE. 12391 Martell Rd.
Martell, CA
APN 044-030-018-000

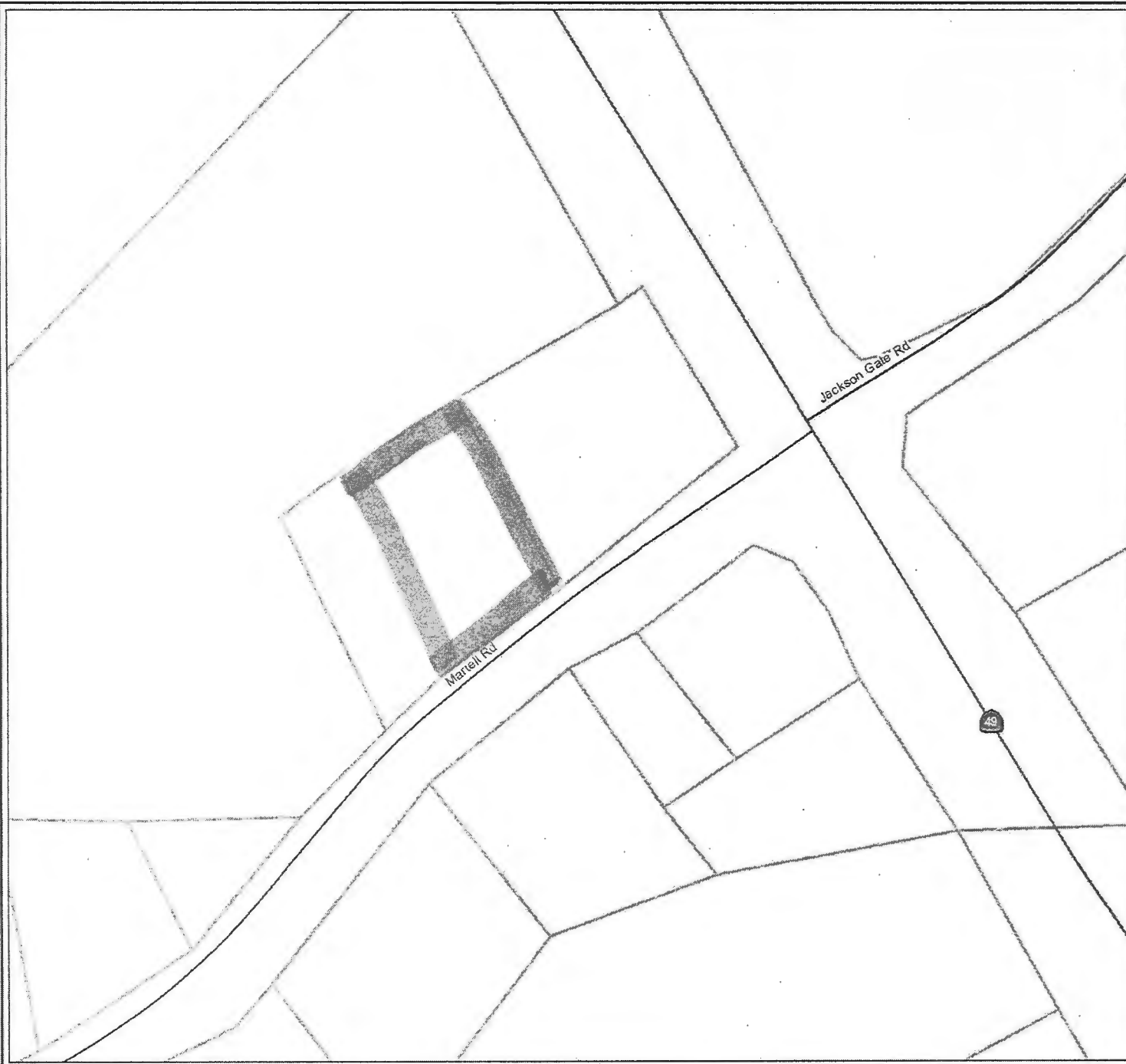
Amador County California
Planning Department/Land Use Agency
810 Court Street
Jackson, CA 95642

To Whom It May Concern:

The intent of this application is for the purpose of changing the zoning from residential to commercial property. The property has two pre-existing buildings, a two bedroom rental with a garage and an unoccupied one bedroom building with a garage, the remainder of the property is undeveloped. The surrounding properties are already commercial sites; the north and west side is occupied by Meek's Hardware, the east side is owned by me, Jolyn Marques, the south is parallel with the Martell Rd.

Sincerely,


Jolyn Marques



- ⊙ Cities and Communities
- Transportation
 - Roads
 - ➔ One Way Road
 - Primary Road
 - Secondary Road
 - County Route
 - State Highway
 - - - Unimproved Road
- Administrative Boundaries
 - City Limits
 - ▣ Amador County Boundary
 - Parcels



1" = 95 ft

Aerial photography, if displayed,
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Notes



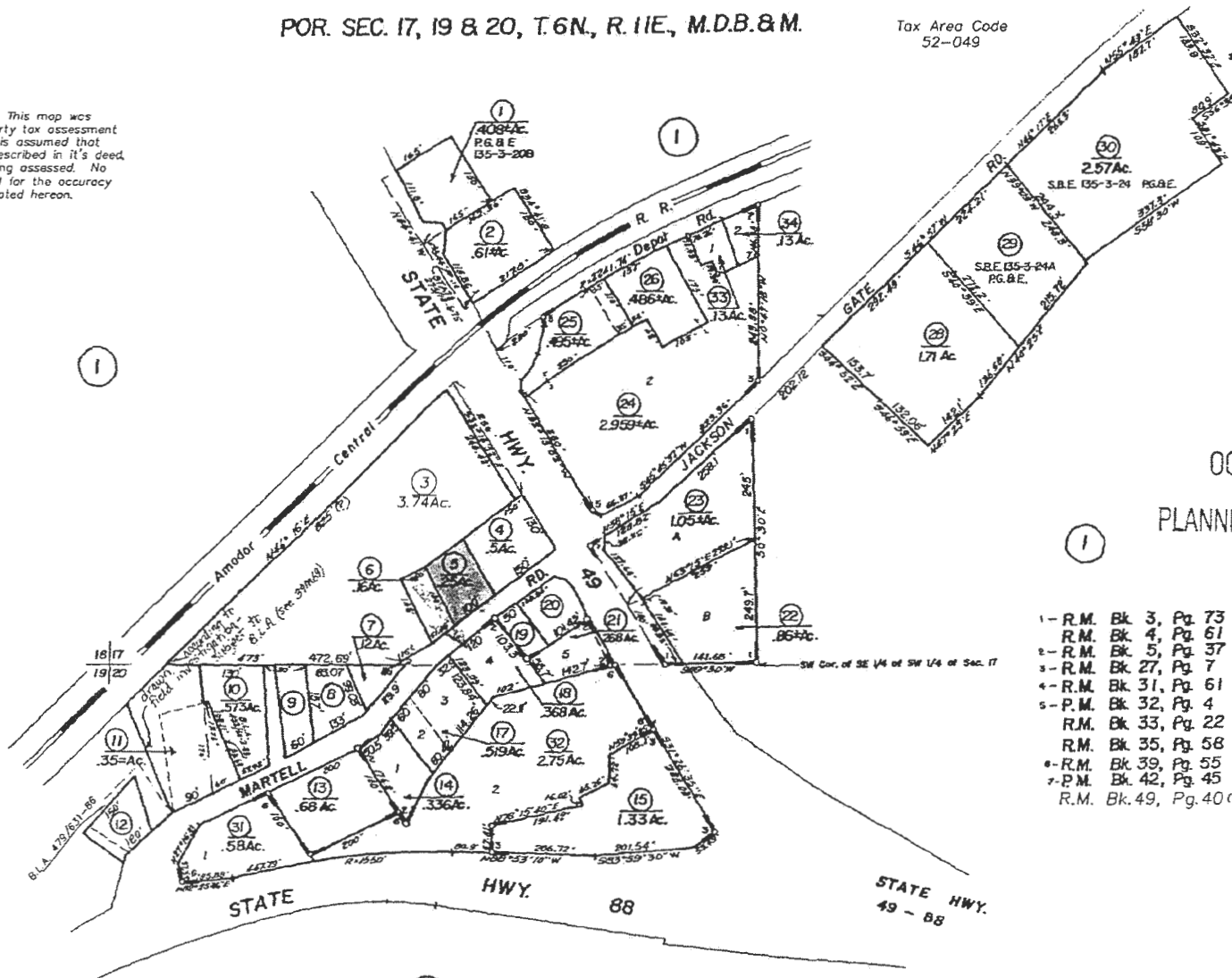
The County of Amador assumes no responsibility arising from use of this information. THE MAPS AND ASSOCIATED DATA ARE PROVIDED WITHOUT WARRANTY OF ANY KIND, expressed or implied, including but not limited to, the implied warranties of merchantability and fitness for a particular purpose. Do not make any business decisions based on this data before validating your decision with the appropriate County Office.

Amador County GIS Viewer

Amador County Information Technology Dept.
810 Court St, Jackson CA 95842

October 25, 2013

IMPORTANT NOTE: This map was prepared for property tax assessment purposes only. It is assumed that the property, as described in its deed is the property being assessed. No liability is assumed for the accuracy of the data delineated hereon.



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- 1 - R.M. Bk 3, Pg 73
- R.M. Bk 4, Pg 61
- 2 - R.M. Bk 5, Pg 37
- 3 - R.M. Bk 27, Pg 7
- 4 - R.M. Bk 31, Pg 61
- 5 - P.M. Bk 32, Pg 4
- R.M. Bk 33, Pg 22
- R.M. Bk 35, Pg 58
- 6 - R.M. Bk 39, Pg 55
- 7 - P.M. Bk 42, Pg 45
- R.M. Bk 49, Pg 40 (10/30/99)

Assessor's Map Bk. 44, Pg. 03
County of Amador, Calif.

NOTICE: This is neither a plan nor a survey. It is furnished merely as a convenience to aid you in locating the land indicated herein with reference to streets and other land. No liability is assumed by reason of any omissions hereon.







