

ITEM 2

STAFF REPORT

STAFF REPORT TO: AMADOR COUNTY PLANNING COMMISSION
FOR MEETING OF: JUNE 12, 2018

ITEM 2 PUBLIC HEARING – REQUEST FOR A ZONE CHANGE FROM THE “R1A,” SINGLE-FAMILY RESIDENTIAL AND AGRICULTURAL ZONE DISTRICT TO THE “M,” MANUFACTURING ZONE DISTRICT FOR 1,150+/- ACRES TO ACHIEVE CONSISTENCY WITH THE GENERAL PLAN’S INDUSTRIAL LAND USE DESIGNATION.

APPLICANT: Edwin Lands, LLC (Tom Swett, representative)

SUPERVISORIAL DISTRICT: 2

LOCATION: West of the Ione city limits, north of Highway 104, and lying east and west of Michigan Bar Road (portions of APNs 005-020-019; 005-030-005; 005-050-008; 005-060-015; and 005-080-019).

- A. GENERAL PLAN DESIGNATION:** I, Industrial
- B. CURRENT ZONING:** “R1A,” Single-family Residential and Agricultural (district regulations attached)
- C. PROPOSED ZONING:** “M,” Manufacturing (district regulations attached)
- D. DESCRIPTION:** This application is a request for a Zone Change to allow for future commercial and manufacturing uses (no specific uses have been proposed with this application). The application originally included a Parcel Map request for 8 parcels; the request was later reduced to 2 parcels, then eventually withdrawn from the project.

The boundary of the proposed 1,150-acre Manufacturing zone is congruent with the boundary of General Plan’s Industrial land use designation for the area. The Manufacturing zoning district is identified as a compatible zone with the Industrial land use designation per the Land Use Element of the General Plan. The zone change is consistent Government Code Section 65860, which requires that zoning ordinances shall be consistent with the General Plan. Government Code Section 65860(c) requires that,

“in the event that a zoning ordinance becomes inconsistent with a general plan by reason of amendment to the plan, or to any element of the plan, the zoning ordinance shall be amended within a reasonable time so that it is consistent with the general pan as amended.”

The zone change is also exempt from additional environmental review per Section 15183 of the CEQA Guidelines. Specifically, Section 15183(a) states that,

“CEQA mandates that projects which are consistent with the development density established by existing zoning, community plan, or general plan policies for which an EIR was certified shall not require additional environmental review, except as might be necessary to examine whether

there are project-specific significant effects which are peculiar to the project or its site. This streamlines the review of such projects and reduces the need to prepare repetitive environmental studies.”

The proposed Manufacturing zone is bordered by the General Plan’s Mineral Resource Zone and Industrial land use designations on approximately 88 percent of its perimeter (see attached General Plan map), and is bordered by “M,” Manufacturing and “MR,” Mineral Resource zoning on approximately 23 percent of its perimeter (see attached Zoning Map). Future development projects within the Manufacturing zone would be subject to the applicable Mitigation Measures of the Amador County General Plan see attached Appendix G, Mitigation Monitoring & Reporting Program).

E. TAC REVIEW: This project was reviewed by the Technical Advisory Committee on April 18, 2018, which found no technical objection to the Planning Commission recommending approval of the Zone Change to the Board of Supervisors along with the adoption of a Notice of Exemption.

F. PLANNING COMMISSION ACTION: The first action of the Planning Commission should be a recommendation to the Board of Supervisors regarding the adequacy of the environmental document, proposed to be a Notice of Exemption (per Section 15183a of the CEQA Guidelines) as the zone change is consistent with the General Plan for which an EIR was certified. Next, the Commission must make a recommendation on the requested Zone Change to the Board of Supervisors.

G. FINDINGS: If the Planning Commission recommends approval of this project, the following findings are recommended for adoption:

1. The proposal is consistent with the General Plan. The proposed Zone Change is consistent with the goals, objectives, and policies of the Land Use Element of General Plan and the Industrial land use designation.
2. A review of the proposal was conducted by staff and the Technical Advisory Committee who, through their own research, found that the Zone Change will not have a significant effect on the environment due to the Mitigation Measures for development projects required by Appendix G, Mitigation Monitoring and Reporting Program, of the Amador County General Plan and is Categorically Exempt from CEQA per Section 15183. Therefore, a Notice of Exemption will be adopted and filed with the County Recorder.

19.24.045 R1-A District—Single-family residential-agricultural district.

A. Intent—Applicability. This district classification is intended to be applied to areas presently zoned as U, unclassified district, and suited to residential and agricultural land uses, subject to such regulations as necessary to protect the public health, safety, convenience, and general welfare within the district and adjacent districts.

B. Limitations—Conditions. All activities allowed in the R1-A district shall be subject to the following limitations of their external effects and such limitations shall be a condition of all uses permitted in the district: water supply, sewage disposal, drainage, encroachments, and structures shall conform to the applicable codes and standards of Amador County.

C. Uses Permitted.

1. Single-family dwelling;
2. Home occupations as defined by Section 19.28.010;
3. Crop and tree farming;
4. General farming, including but not limited to, the raising, growing, and harvesting of vegetable, field orchard, bush, and berry crops; vineyards; silviculture;
5. Wholesale operation of nurseries; greenhouses; mushroom rooms; floriculture; and uses of a similar nature;
6. Pasture for grazing (including supplemental feeding), raising, maintaining, breeding, and training of horses, cattle, sheep, and goats, hogs, and similar livestock, provided there is no feeding of garbage, sewage, refuse, or offal, and subject to any limitations in number of animals in Chapter 19.48, General Provisions and Exceptions of the Amador County Code;
7. Feed lots, feed yards, provided there is no feeding of refuse, garbage, sewage, or offal;
8. Poultry farms;
9. Dairies;
10. The raising, feeding, maintaining, breeding, and slaughtering of livestock, chickens, turkeys, rabbits, pigeons, ducks, geese, fish, frogs, and small animals or fowl;
11. Processing, packing, selling, shipping of agricultural products not done on an on-site retail sales basis; wells, water storage and reservoirs, including on site excavation or removal of materials for construction thereof;
12. Storage of petroleum products for use by the occupants of the premises;
13. Any structure, building, equipment, or use incidental and necessary to any of the foregoing uses.

D. Uses Permitted Subject to First Securing an Approved Use Permit.

1. Guest house;
2. Farm and forestry labor camps;
3. Recreation uses;
4. Processing, packing, selling, shipping of agricultural products for on-site retail purposes;
5. Veterinary clinics, animal hospitals, kennels, commercial stabling of horses for public recreation purposes;
6. Auction and sales yards;
7. Turkey farms, provided there is a cover crop or other dust control;

- 8. Any garbage, sewage, refuse, or offal feeding;
- 9. Commercial slaughterhouses and stockyards for livestock, small animals, poultry, and fowl;
- 10. Rendering plants, fertilizer plants and yards;
- 11. Oil and gas wells, drilling, mining, and excavation of natural minerals;
- 12. Any structure, building, use, or equipment incidental and necessary to any of the above uses, located on the same site, and included in the use permit.

E. Front, Rear, and Side Yard Setbacks. Minimum structural setback from public roads are required to be twenty-five feet from the front property line, unless a greater setback is shown on any sectional map as a building line established as set forth in County Code Chapter 19.44.

But, in no case shall the front yard setback be less than fifty feet from the centerline of any street, highway, or road. The rear setback for structures shall be fifteen feet and the side lot line setbacks for structures shall be five feet for interior lot lines and ten feet for corner lot lines.

All yard setbacks are subject to the regulations contained in Chapter 19.48, General Provisions and Exceptions of the Amador County Ordinance Code.

F. Building Height Limit. The building height limit shall be thirty-five feet, except as otherwise indicated in an approved use permit and Chapter 19.48, General Provisions and Exceptions in the Amador County Ordinance Code.

G. Minimum Parcel Size Required. In conjunction with the population density maximums allowed in the various general plan, land use element classifications, all future divisions of land in the R1-A zone district shall have the below listed parcel size minimums based upon the general plan classification in which the R1-A district is located. Notwithstanding these parcel size minimums, the number of parcels created by the division of land shall not exceed the population density maximum specified in the general plan classification:

General Plan Classification	Minimum Parcel Size
R-S, Residential-Suburban	One acre with public water and five acres with well and septic tank
R-L, Residential-Low Density	6,000 square feet
R-M, Residential-Medium Density	6,000 square feet
U-A, Urban Area	6,000 square feet
L-S, Local Service Center	6,000 square feet
S-P, Special Planning	6,000 square feet
SP-I, Special Planning-Interim	6,000 square feet
A-T, Agricultural-Transition	Five acres
A-E, Agricultural-Estates	As specified on the land use element map of the general plan
A-I, Agricultural-Intensive	Twenty acres
A-G, Agricultural-General	Forty acres
A-U, Agricultural-Upland	Forty acres

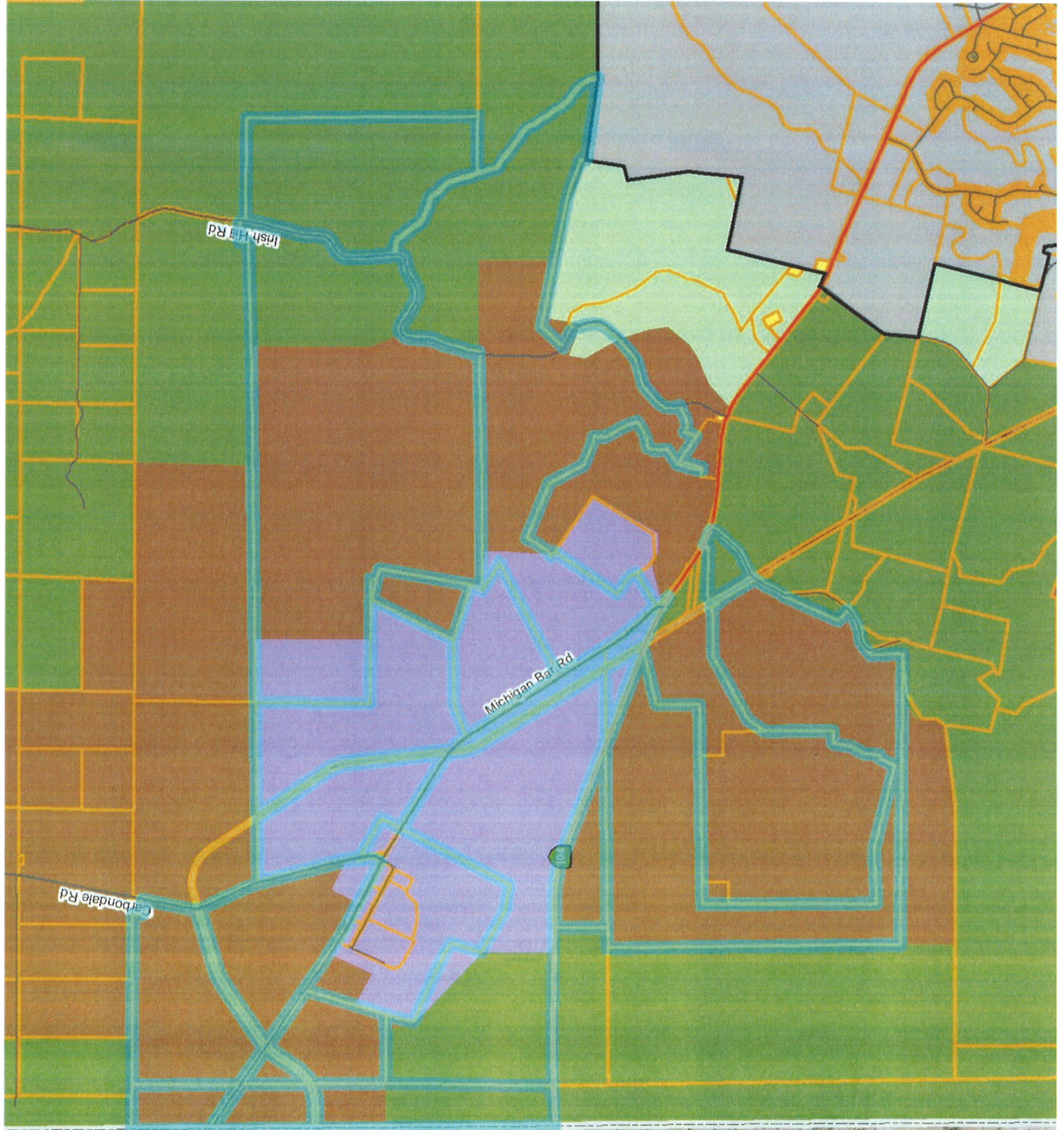
A-M, Agricultural-Marginal	Forty acres
O-WS, Open-Watershed	Forty acres
G-F, General Forest	Forty acres
W-P, Water Project	Forty acres

H. Building Site Depth and Width Required. The building site depth minimum shall be ninety feet and the building site width minimum shall be sixty feet at the front yard setback building line. In no case shall the average depth of the building site exceed three times the average width of the building site unless a variance is first obtained.

I. Building Site Percent Coverage Required. No more than thirty-five percent of the lot may be covered by permanent structures except as otherwise indicated in an approved use permit. (Ord. 1041 §§2, 3, 1985; Ord. 849 §2, 1982).

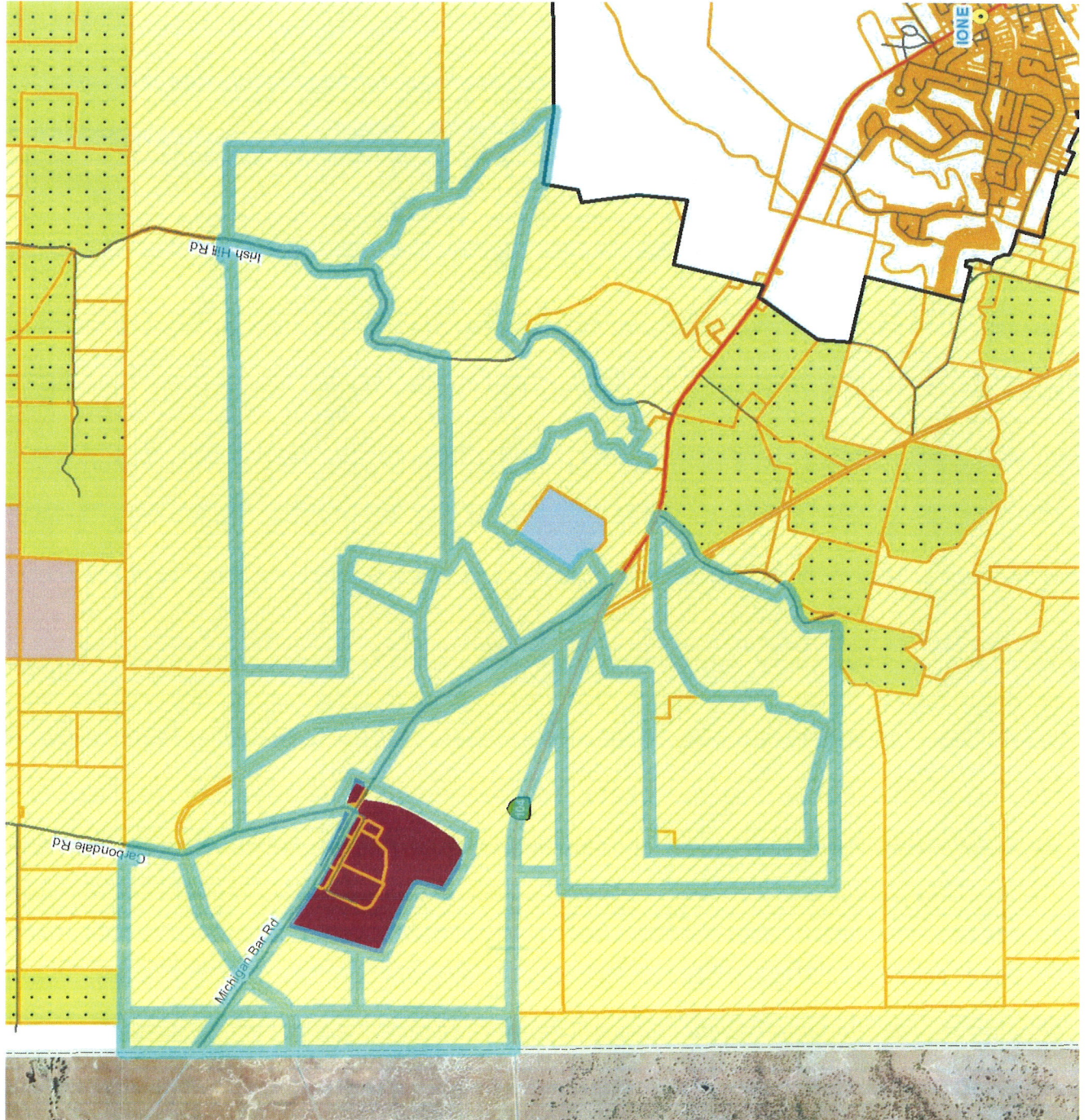
District	Use Permit Required	Building Site				Yards Required				Lot Area Per Residential Unit (Sq. Ft.)
		Area (Sq. Ft.)		Depth in ft. Minimum	Percent Coverage	Front in ft.	Side		Building Height Limit in ft.	
		Interior Lot	Corner Lot				Rear in ft.	Interior in ft.		
M	NO	5,000		50	80	20	0	0	45	*
M	YES	10,000					AS SPECIFIED IN THE USE PERMIT			*
C-1	NO	5,000	5,000	50	90	10	0	0	45	*
C-2	YES					AS SPECIFIED IN THE USE PERMIT				
C-2	NO						0	0		
C-2	YES				90	10	0	0	45	

**AMADOR COUNTY GENERAL PLAN DESIGNATIONS – EDWIN LANDS, LLC, PARCELS OUTLINED WITH BLUE BORDER
 AREA PROPOSED FOR ZONE CHANGE IS CONGRUENT WITH THE INDUSTRIAL GENERAL PLAN DESIGNATION**



- Agricultural Transition (AT)
- Agricultural General (AG)
- Mineral Resource Zone (MRZ)
- Open Recreation (OR)
- General Forest (GF)
- Open Forest (OF)
- Open Wilderness (OW)
- Urban Planning Area (UA)
- Tribal Trust Lands (TTL)
- Rural Residential (RR)
- Residential Low Density (RL)
- Residential Medium Density (RM)
- Commercial (C)
- Industrial (I)
- Local Service Center (TC)
- Regional Service Center (RSC)
- Special Planning Area (SPA)
- Public Service (PS)
- Water (W)

AMADOR COUNTY ZONING – EDWIN LANDS, LLC, PARCELS OUTLINED WITH BLUE BORDER



- A - Agricultural
- AG - Exclusive Agriculture
- C1 - Retail Commercial and Office
- C2 - Heavy Commercial
- H - Highway Commercial - Recreation
- LM - Light Manufacturing
- MM - Medium Manufacturing
- M - Manufacturing
- MR - Mineral Resources
- OS - Open Space
- PD - Planned Development
- RE - Residential Estates
- R1 - Single Family Residential
- R1A - Single Family Residential & Ag
- R2 - Low Density Mult. Family Residential
- R2A - Single Family Residential, 2 Acre Min.
- R3 - High Density Mult. Family Residential
- T1 - Trailer - Camp
- T2 - Mobile Home Park - Camp
- TPZ - Timberland Preserve
- USA - Bureau of Land Management
- X - Special Use
- Not Classified