

STAFF REPORT TO: AMADOR COUNTY PLANNING COMMISSION
FOR MEETING OF: SEPTEMBER 11, 2018

ITEM 1 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originally included a Parcel Map request for 8 parcels; the request was later reduced to 2 parcels, then eventually withdrawn from the project.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.”

Staff originally proposed that the rezoning was Categorical Exempt from CEQA, relying on 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 rezoning does not include a specific project. Generally, the decision to rezone property should not be based on a proposed project as that project may or may not be developed. The decision to rezone should be made with the understanding that any or all of the by-right uses of the proposed zoning district could be developed on the subject property. Absent a specific project, it is not possible to examine project-level impacts. For a zone change to adequately satisfy CEQA, an analysis of the most intense land uses allowable in the proposed zoning district would be required.

- E. STAFF RECOMMENDATION:** It is staff’s recommendation that the application be tabled until the project proponent provides an analysis of the environmental impacts that the ultimate uses of the site will create along with appropriate mitigation measures.
- F. PLANNING COMMISSION ACTION:** Following the public hearing, the Planning Commission may table the matter until the project proponent submits a CEQA analysis of potential impacts, or the Planning Commission may make a recommendation to the Board of Supervisors to approve or deny the requested zone change.
- G. FINDINGS:** If the Planning Commission recommends approval to the Board of Supervisors, the decision should be based on findings which are supported by evidence included in the staff report and/or other materials or testimony presented during the public hearing.