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## ANALYSIS

This application proposes to amend the zoning of 0.18 acres of land from the commercial Zone RC (Rural Commercial) to the Residential Zone Two-Family Residential (R2).

The subject parcel's current zone, RC, is intended to provide land for commercial use in small towns, community centers, and isolated areas. In contrast, the R2 zone is intended to provide land for a conventional duplex or single-family attached housing in which each unit is individually owned.

The parcel is improved with a storage shed and a structure (Att. 2) that was used as a duplex during the 1970's and then converted into a retail store (Napa Auto Parts) and finally converted into office space for an alarm company (Signal Service). Since then, the applicant has expressed a desire to convert the structure on the parcel back to a duplex. While the RC zone allows for a duplex as a permitted use; the site development standards for the RC zone limits the density to one dwelling per twenty thousand square feet (§17.30.070.B.1.c.) Since the parcel is only 0.18 acres it falls significantly below the density requirements for its current zone. In contrast, the R2 zone allows for two dwellings (duplex) per 7,000 sf. which is more appropriate for the subject parcel's size and proposed use.

Most of the surrounding parcels are in the interim zone Unclassified (U) and four, including the subject parcel, are zoned Rural Commercial. Except for the post office and a large metal building, the majority of the developed parcels are used for residential purposes.



This parcel is served by the Union Public Utility District (UPUD). UPUD has indicated that currently there is adequate water available to serve the parcel's need; provided that they obtain a second meter. There is no additional development proposed with the application; except for those improvements needed to bring the building up to code, as per California Fire Code section 102.3, to serve as a two-family residence.

Like most of the county, this parcel is designated as a very high fire hazard. However, with building and fire codes the risk of fire is minimized. Amending the zoning of the subject parcel will not increase the risk of fire.

The parcel is designated by the General Plan as the Vallecito Community Center. The proposed zoning is compatible with this land use designation. The parcel takes access off of Main St. Vallecito, which has an adequate level of service for the proposed use. The proposed zoning amendment does not have the potential to reduce agricultural lands, hinder scenic routes or significantly increase traffic.

The zoning amendment application was circulated to various local and state agencies for review. Responses that were received stated that there was no objection to the change in zoning.

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### **Environmental Review**

The Planning Department has found that the proposed project is categorically exempt from the environmental review process based on CEQA Guideline Section 15303.b which states:

“Class 3 consists of construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure. The numbers of structures described in this section are the maximum allowable on any legal parcel. Examples of this exemption include, but are not limited to:

- (b) A duplex or similar multi-family residential structure, totaling no more than four dwelling units. In urbanized areas, this exemption applies to apartments, duplexes and similar structures designed for not more than six dwelling units.

The purpose of this Zoning Amendment is for the conversion of an existing structure into a duplex; which totals no more than four dwelling units; and the number of structures allowed by the R2 zone does not exceed the maximum allowed by this section.

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**RECOMMENDATION:** Staff recommends that the Planning Commission adopt resolution 2018-047, thereby recommending that the Board of Supervisors approve

Zoning Amendment 2018-017.

Attachments:

Attachment 1 – P/C Resolution Recommending Approval

Attachment 2 – Site Plan

Attachment 3 – Aerial Image

Attachment 4 – Assessor's Map

Attachment 5 – Site Visit May 7, 2018



**COUNTY OF CALAVERAS, STATE OF CALIFORNIA  
PLANNING COMMISSION**

**RESOLUTION NO. 2018-047**

**>>A RESOLUTION RECOMMENDING THE BOARD OF SUPERVISORS APPROVE ZONING AMENDMENT 2018-017 FROM RC (RURAL COMMERCIAL) TO R2 (TWO-FAMILY RESIDENTIAL) ON APN: 066-020-040.**

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WHEREAS, the Planning Department of the County of Calaveras received an application from Mark Wilson requesting approval of a Zoning Amendment from RC (Rural Commercial) to R2 (Two-Family Residential); and

WHEREAS, the proposed project is located on real property in the unincorporated portion of the County of Calaveras at 3554 Main Street, Vallecito, which is in the SW ¼ of the NW1/4 of Section 30, T03N, R14E, MDB&M, APN: 066-020-040.

WHEREAS, a notice of exemption has been prepared for this project pursuant to Article 19, Categorical Exemptions, §15303.b; and

WHEREAS, during a duly noticed public hearing on July 10, 2018 the Planning Commission considered all of the information presented to it, including its staff report, information presented by the project proponent, and public testimony presented in writing and at the meeting.

BE IT THEREFORE RESOLVED that the Planning Commission recommends approval of the Zoning Amendment to R2 (Two-Family Residential) based upon the following findings:

1. On the basis of the whole record, there is no substantial evidence that the project as designed will have a significant effect on the environment. A Notice of Exemption has been prepared in accordance with the California Environmental Quality Act (CEQA).

EVIDENCE: The project is exempt from CEQA pursuant to Article 19, Categorical Exemptions; Section 15303 of the CEQA guidelines. Class 3 consists of construction and location of limited numbers of new, small facilities or structures. Conversion or existing small structures from one use to another where only minor modifications are made in the exterior of the structures are exempt under this section.

2. The proposed Zoning Amendment is consistent with the County's General Plan and applicable policies of the Calaveras County Zoning Code, Title 17.

EVIDENCE: Approval of the Zoning Amendment from Rural Commercial to Two-Family Residential would provide consistency with the parcel's General Plan Land Use Designation of Vallecito Community Center, since the R2 zone is a compatible

zone in Community Centers. The R2 zone is an appropriate zone, at this location, to implement the goals of the General Plan to “maintain and reinforce Community Centers as the sites which may permit...multiple family residential...” (Policy II-9A, Calaveras County General Plan).

3. The proposed Zoning Amendment is consistent with neighboring and adjacent land uses and zoning.

EVIDENCE: The R2 zone is compatible with the mixed use community and adjacent residential uses in the surrounding neighborhood in the Vallecito Community Center.

PASSED AND ADOPTED by the Planning Commission of the County of Calaveras, at a regular meeting of the Planning Commission held on July 10, 2018 on a motion by Commissioner \_\_\_\_\_ and seconded by Commissioner \_\_\_\_\_.

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

\_\_\_\_\_  
Chair, Planning Commission

ATTEST:

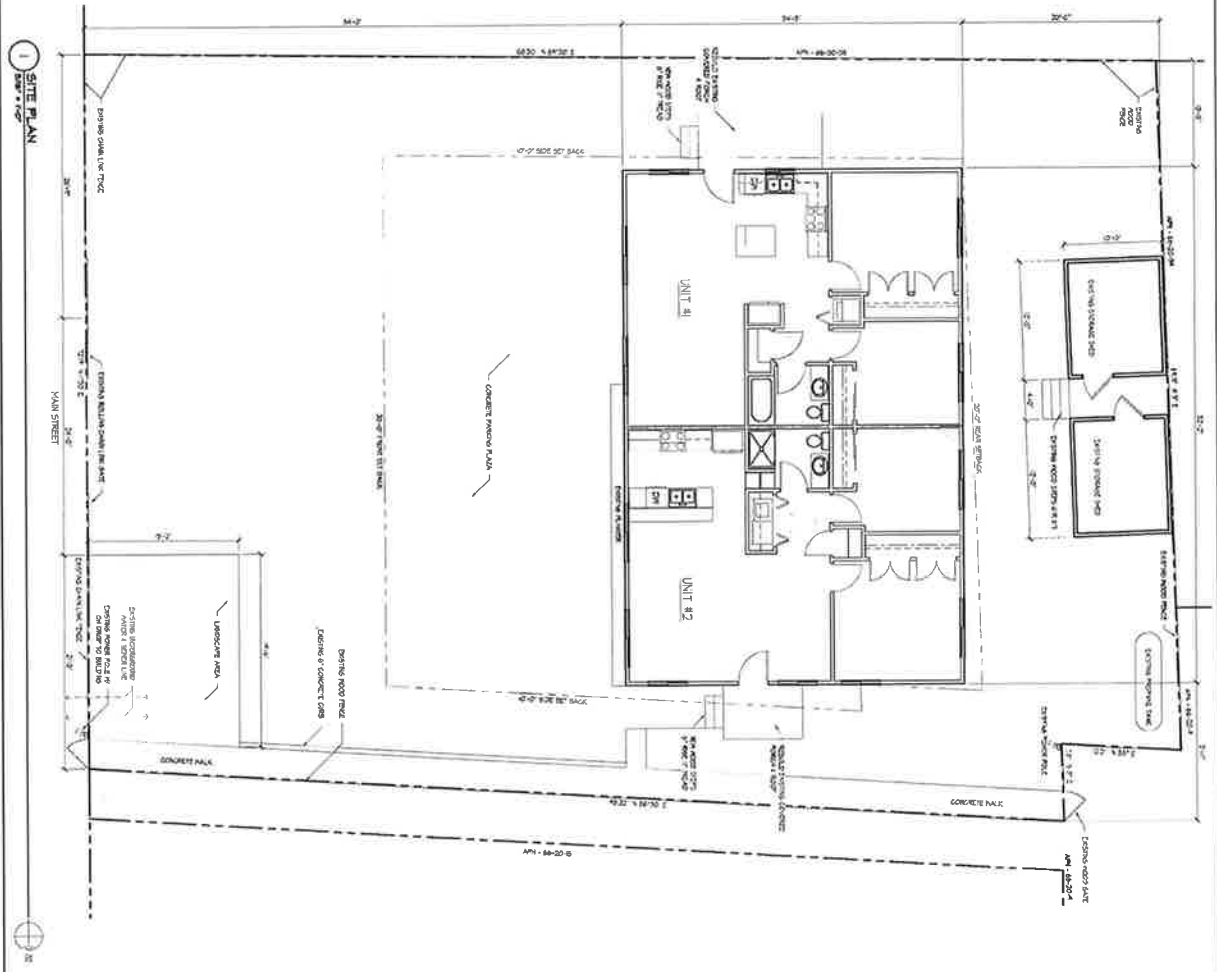
\_\_\_\_\_  
Miguel Contreras, Planner II

The project files are available for public review in the Planning Department, County of Calaveras, Government Center, 891 Mountain Ranch Road, San Andreas, CA. 95249, between the hours of 8:00 a.m. and 4:00 p.m.

Attachment 2 –Site Plan



RECEIVED  
 MAR 27 2018  
 Calaveras County  
 Planning Department



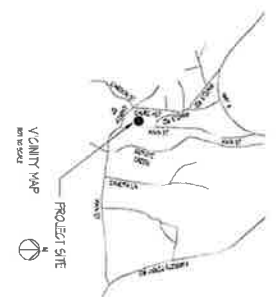
1 SITE PLAN

**SCOPE OF WORK**  
 ZONE CHANGE FROM R-1 TO R-1.5  
 TO 0.2 THE FINAL RESUBDIVISION

**OWNER**  
 MURPHY ARCHITECTURE  
 1000 S. MAIN ST.  
 SUITE 100  
 MURPHYS, CA 95247  
 800-669-8800

**PROJECT ADDRESS**  
 3554 MAIN ST  
 VALLEJITO CA 95251  
 APN 66-20-04

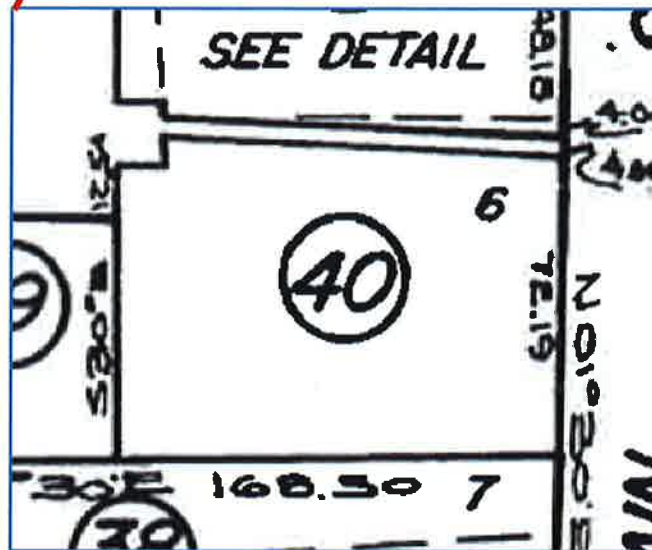
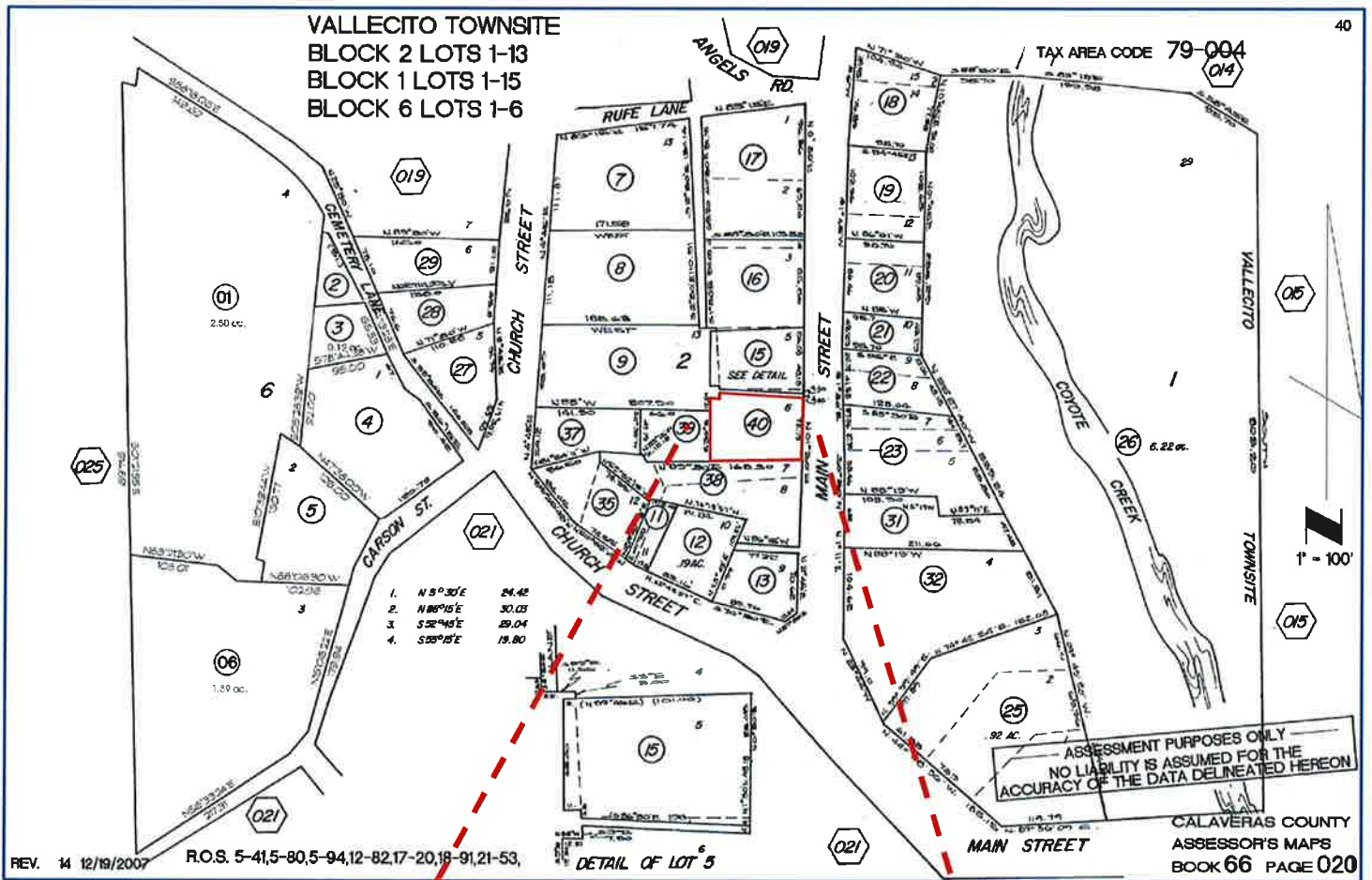
**PROJECT DATA**  
 BLOCKING AREA - 0.13 AC - 2.19MS & 8 MS  
 LOT AREA - 5072 SQ. FEET  
 LOT COVER - 12%



| <b>AO1</b><br>ZONE CHANGE PLAN | 1740<br>5208 | <b>RESIDENTIAL REMODEL DUPLEX</b><br><b>QUEST COURT 13</b><br><b>3554 MAIN ST VALLEJITO APN 66-20-04</b> |      | <b>ROB WESTERHOFF ARCHITECT</b><br>P.O. BOX 1046<br>MURPHYS, CALIFORNIA 95247<br>PH/FAX 209-728-9045 CELL 209-768-6085<br>ROB@RWAVE.COM | <table border="1"> <thead> <tr> <th>#</th> <th>REVISED</th> <th>DATE</th> </tr> </thead> <tbody> <tr><td>1</td><td></td><td></td></tr> <tr><td>2</td><td></td><td></td></tr> <tr><td>3</td><td></td><td></td></tr> <tr><td>4</td><td></td><td></td></tr> <tr><td>5</td><td></td><td></td></tr> </tbody> </table> | # | REVISED | DATE | 1 |  |  | 2 |  |  | 3 |  |  | 4 |  |  | 5 |  |  |
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Attachment 3 – Aerial Image



Attachment 4 – Assessor's Map

Attachment 5 – May 7, 2018 Site Visit Photographs

