

COUNTY OF CALAVERAS, STATE OF CALIFORNIA
PLANNING COMMISSION

RESOLUTION NO. 2019-017

>>A RESOLUTION RECOMMENDING THE BOARD OF SUPERVISORS APPROVE ZONING AMENDMENT 2018-048 FROM GENERAL COMMERCIAL (C2) TO GENERAL COMMERCIAL – PLANNED DEVELOPMENT (C2-PD) ON APN: 054-014-019.

WHEREAS, the Planning Department of the County of Calaveras received an application from Continue LP requesting approval of a Zoning Amendment from C2 (General Commercial) to C2-PD (General Commercial – Planned Development Combining Zone), a Planned Development Permit, and a Tentative Parcel Map for a Condominium Conversion for an existing commercial complex; and

WHEREAS, the proposed project is located on real property in the unincorporated portions of the County of Calaveras, more particularly described as APN: 054-014-019, a portion of Lots 1 and 2 of Section 34, T2N, R12E, MDM, located at 90 Rock Creek Road in Copperopolis; and

WHEREAS, a Notice of Exemption was prepared, pursuant to the California Environmental Quality Act, Section 15301(k) Categorical Exemptions, Class 1 Existing Facilities; and

WHEREAS, during a duly noticed public hearing on July 11, 2019, 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; and

BE IT THEREFORE RESOLVED, that the Planning Commission recommends approval of the Zoning Amendment to General Commercial – Planned Development (C2-PD) as shown on Exhibit A of this resolution, which depicts the proposed zoning based upon the following findings:

1. The proposed Zoning Amendment is exempt from CEQA pursuant to Section 15301(k) of the CEQA Guidelines.

Evidence: Class 1 consists of the operation, repair, maintenance, permitting, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use. Section 15301 (k) is for the division of existing multiple family or single-family residences into common-interest ownership and subdivision of existing commercial or industrial buildings where no physical changes occur which are not otherwise exempt.

2. The proposed Zoning Amendment is consistent with the County's General Plan, as

amended, and applicable policies of the Calaveras County Zoning Code, Title 17.

Evidence: The subject property is currently designated in the County General Plan as Community Center which is centered around and includes the existing townsite of Copperopolis. The Community Center designation allows for more intensive land usage generated by multi-family, commercial and light industrial uses. The C2 zone is a commercial zone consistent with the Community Center land use designation described in the County General Plan. Adding the PD combining zone is required for the condominium conversion and does not change the permitted uses as defined in the C2 base zone.

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

Evidence: The subject property is located in an area of Calaveras County primarily in agriculture production which is directly adjacent to Main Street in Copperopolis. Parcels in the immediate vicinity of the subject parcel are zoned AP (Agriculture Preserve), and A1 (General Agriculture), U (Unclassified), and C2-PD (General Commercial-Planned Development). Uses in the general area sustain agricultural, residential, and commercial uses of the Copperopolis Community Center. Adding the PD combining zone will not change the current permitted use, therefore, the project is consistent with the neighboring properties and land uses.

Approved by the Planning Commission of the County of Calaveras, at a regular meeting of the Planning Commission held on July 11, 2019 on a motion by Commissioner Fiorino and seconded by Commissioner Henderson.

AYES: Fiorino, Laddish, Henderson


NOES

ABSTAIN:

ABSENT: Plotnik, Wooster

ATTEST:


Madeleine Flandreau, Planner II


Chair, Planning Commission

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.

Exhibit "A" – Zoning Exhibit

