

COUNTY OF CALAVERAS, STATE OF CALIFORNIA
PLANNING COMMISSION

RESOLUTION NO. 2019-019

>>A RESOLUTION APPROVING TENTATIVE PARCEL MAP 2018-048 FOR
CONTINUE LP

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:

BE IT THEREFORE RESOLVED, that the Planning Commission approves the Tentative Parcel Map based upon the following findings and Exhibit A, Tentative Parcel Map;

CEQA Findings

1. The proposed Tentative Parcel Map is exempt from CEQA pursuant to Section 15301(k) of the CEQA Guideline.

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.

Tentative Parcel Map Findings

2. The proposed map is consistent with applicable general and specific plans.

Evidence: The property is currently designated in the County General Plan as Copperopolis Community Center under the General Plan. The proposed land use designation is Commercial. The request for land division is consistent with the General Plan.

3. The site is physically suitable for the proposed density and the type of development.

Evidence: The subject parcel is already developed and supports commercial uses. The parcel has access off public roads and is located along a state highway.

4. The project will not cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat and will not cause serious public health problems.

Evidence: The site is already developed, with infrastructure in place. The proposed TPM will not be the cause of discharged pollutants or hazardous materials that may cause substantial injury to fish and wildlife. There are no natural resources on or near the project site that may be affected by the project. Standard map requirements shall protect the health and safety of the public.

5. The project will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.

Evidence: The project will exclusively take access via an existing encroachment on Rock Creek Road. The proposed project does not alter or affect any easements.

6. The conditions imposed on the TPM are necessary to provide safe access, adequate water and wastewater disposal and protect public health, safety and general welfare.

Evidence: Imposed conditions are based on review by local and state agencies and departments responsible for access, water, wastewater, public health, safety and general welfare.

7. The design and location of each lot in the subdivision are consistent with any applicable regulations adopted by the State Board of Forestry and Fire Protection pursuant to Sections 4290 & 4291 of the Public Resources Code.

Evidence: The project was circulated to the Local Fire District as well as Cal Fire.

Neither agency submitted comments relative to the proposed project. The project is a condominium conversion of an existing commercial development with adequate emergency access.

8. The project complies with the requirements of Calaveras County Code §16.01.160.A.3.

Evidence: The project parcel is zoned commercial, has frontage on a county road, there are no dedications or improvements necessary, and Rock Creek Road as a County maintained road is in standard condition.

BE IT FURTHER RESOLVED, that the Planning Commission approves the Vesting Tentative Parcel Map based on the following conditions;

I. GENERAL CONDITIONS

- I-1 The Applicant(s) and Owner(s); and their Heirs, Successors, and Assigns shall abide by all terms of the Indemnification Agreement, dated April 26, 2019 and on file in the Planning Department's records for 2018-048.
- I-2 The applicant shall meet all the requirements of the Calaveras County Zoning Ordinance, Title 17 and Subdivision Ordinance, Title 16.
- I-3 The Tentative Parcel Map approval is valid for a period of 36 months from the date of the Board of Supervisors' approval. An extension of time may be granted pursuant to Title 16 as long as a request and required fees are submitted to the Planning Department prior to expiration of the map.

I. PLANNING DEPARTMENT

- II-1 This approval is for a Tentative Parcel Map to convert an existing 20,000 square foot commercial structure into a single condominium.
- II-2 The final map shall be in substantial conformance to the submitted tentative map included as "Exhibit A".
- II-3 Within five (5) calendar days from the date of approval, the applicant shall file the Notice of Exemption and pay the applicable County Administrative fee (\$50) to the County Recorder's Office.

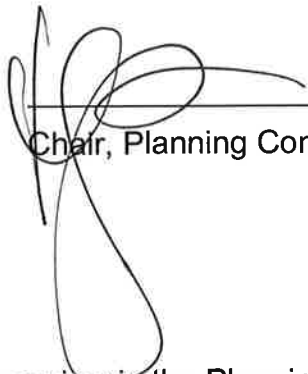
PASSED AND ADOPTED by the Planning Commission of the County of Calaveras, at a regular meeting of the Planning Commission held on July 11, 2019 on a motion by Commissioner Fiorino and seconded by Commissioner Henderson.

AYES: Fiorino, Laddish, Henderson

NOES:

ABSTAIN:

ABSENT: Plotnik, Wooster



Chair, Planning Commission

ATTEST:



Madeleine Flandreau, 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.

Exhibit A: Tentative Parcel Map

