

3.1 Community Region Boundary /Land Use Density

As shown in Attachment D, the majority of the proposed project site lies outside of the Community Region boundary. Staff reviewed this issue as it relates to the proposed project density and determined that under the current language of the General Plan it is not possible to mix land use densities as proposed. The provisions of General Plan Policy 2.2.4.1 apply to existing zoning. It was not the intent of the plan to take an area within a community region and spread that density outside into the rural region to the point where the density and scale of use is more urban or suburban in nature than the dispersed residential or resource-based land uses anticipated in the General Plan. As such, staff believes the proposed project requires a General Plan Amendment to change the Community Region boundary and to change the land use designation to Medium-Density Residential (MDR), rezone to One-acre Residential-Planned Development (R1A-PD), planned development, and tentative subdivision map applications to proceed. The applicant disagrees with staff's determination that a General Plan Amendment is required for the project to proceed and seeks Planning Commission clarification of this issue, as outlined in the attached letter (Attachment G).

In order to amend the General Plan land use designation for the proposed project, the Community Region boundary must be amended pursuant to General Plan Policies 2.1.1.6, 2.9.1.2, and 2.9.1.4. General Plan Policy 2.9.1.4 states that "the boundaries of Community Regions and Rural Centers may be changed and/or expanded every five years through the General Plan review process as specified in Policy 2.9.1.2." Policy 2.9.1.2 specifies "two years following the adoption of the General Plan and thereafter every five years, the County shall examine the results of the monitoring process for the previous period. If the results of this monitoring process indicate that the distribution of growth varies significantly from the major assumptions of this Plan, the County shall make appropriate adjustments to the Plan's development potential by General Plan amendment. Five year adjustments in the development potential may include either additions to or subtractions from this land supply and may result in policy changes." Staff believes this policy requires a comprehensive review of growth patterns to determine if there is a need for additional urban land.

4.0 GENERAL PLAN POLICY CONSISTENCY

As proposed, staff has determined that the project is inconsistent with Policy 2.2.1.2, because the maximum allowable density for the Low-Density Residential (LDR) land use designation which constitutes the majority of the project site is one dwelling unit per 5.0 to 10.0 acres. Parcel sizes shall range from 5.0 to 10.0 acres. The proposed project would be consistent with an Medium-Density Residential (MDR) land use designation which permits a maximum allowable density of one dwelling unit per 1.0 acre and is considered appropriate only within Community Regions and Rural Centers. As envisioned by the applicant, staff believes that an MDR land use designation is inappropriate for the site because of environmental and site constraints.

5.0 PROJECT AND AGENCY REVIEW

Staff held a pre-application review meeting with the applicant on October 17, 2006. The issue outlined above was identified by staff to be resolved prior to formal application submittal. After subsequent meetings with Planning staff and a member of the Board of Supervisors, the applicant requested the conceptual review process through the Planning Commission.

6.0 PROCESSING

This conceptual review is meant to allow for early Commission input about this project. The applicant would like early feedback from the Planning Commission on the issues involving the Community Region boundary and land use density. Specifically, staff and the applicant would like the following questions answered by the Planning Commission:

- Does the Planning Commission agree with staff's determination of the land use density issue outlined above and the need for a General Plan Amendment for the project to proceed?
- If a General Plan Amendment is found to be necessary, does the Planning Commission find the General Plan Amendment in the public interest to consider amending the land use designations and Community Region boundary?

Both staff and the applicant feel that Planning Commission direction concerning these issues is critical in determining whether or not the project may proceed as envisioned by the applicant. Once direction has been given, the applicant should have the necessary information to proceed accordingly.

ATTACHMENTS:

- A. Vicinity Map
- B. Zoning Map
- C. General Plan Land Use Map
- D. Community Region Boundary Map
- E. Assessor's Parcel Map
- F. Land Use Plan
- G. Applicant's Conceptual Review Request Letter