



# **County of Calaveras**

## **Department of Planning**

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**Peter N. Maurer ~ Planning Director**

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June 16, 2020

Amber Sarkari  
Real Estate Representative  
East Bay Municipal Utility District  
375 Eleventh Street  
Oakland, CA 94607-4240

RE: CONFORMANCE DETERMINATION REQUEST FOR APNs 048-001-001 AND 048-001-003

Dear Ms. Sarkari,

This letter is in response to your request for a Conformance Determination regarding portions of the above-referenced properties owned by East Bay Municipal Utility District (EBMUD) in Calaveras County.

### **BACKGROUND INFORMATION**

Pursuant to California Government Code §65402, EBMUD has advised Calaveras County of a proposed property disposition for portions of APNs 048-001-001 AND 048-001-003, and requests a report as to their conformance with the County's existing Zoning classification and General Plan Land Use Designation. Government Code §65402(C) requires that a local agency shall not dispose of any real property until the jurisdiction's planning agency has reviewed and reported as to conformity with the General Plan. A finding of conformity is made when the proposed use of the property conforms to the maps and policies of the General Plan. Calaveras County Code §16.03.330 defines the "planning agency" as the Calaveras County Planning Department, and empowers the Planning Director to make conformance determinations.

### **PROJECT DESCRIPTION**

EBMUD has identified the portion of each of the properties that are surplus to the District's needs and has indicated that these portions will be offered for sale or will be offered for acquisition via a Lot Line Adjustment. See Figures 1 and 2 below for a depiction of the lands to be disposed, and Tables 1 and 2 for a summary and map of the relevant Zoning and General Plan Land Use Designations for both parcels.

**Figure 1- Portion of APN 048-001-001 to be disposed (approximately 25 acres)**



**Table 1- APN 048-001-001 Zoning and Land Use Designation**

<b>EBMUD PARCEL AND APN IDENTIFICATION</b>	<b>ZONING AND GENERAL PLAN LAND USE DESIGNATION</b>
048-001-001	Zoning: General Agriculture and Recreation (A-1/REC)
25-acre portion of 632.18 acres	25-acre portion is designated REC
South Comanche Parkway	Land Use Designation: Resource Management (RM)
CAM 1 10B 26 75 86 SECS 9 10 15 16 T4R9	



**Land Use Designation and Zoning Classification of APN 048-001-001**

#### CONFORMANCE DETERMINATION FOR APN 048-001-001

The proposed 25-acre portion of APN 048-001-001 has been determined not to be in conformance with the Calaveras County Zoning Code and General Plan.

1. The existing General Plan Land Use Designation of Resource Management allows for a minimum parcel size of 160 acres. The existing zoning of REC for this portion of the parcel allows for a minimum parcel size of 5 acres.

A Lot Line Adjustment of APN 048-001-001 with an adjacent parcel would meet the conformance requirements of the General Plan and Zoning Code only where the General Plan Land Use Designation and Zoning match between the parcels being adjusted. However, as there is currently no matching adjacent parcels, a General Plan Amendment and Zoning Amendment would be required.

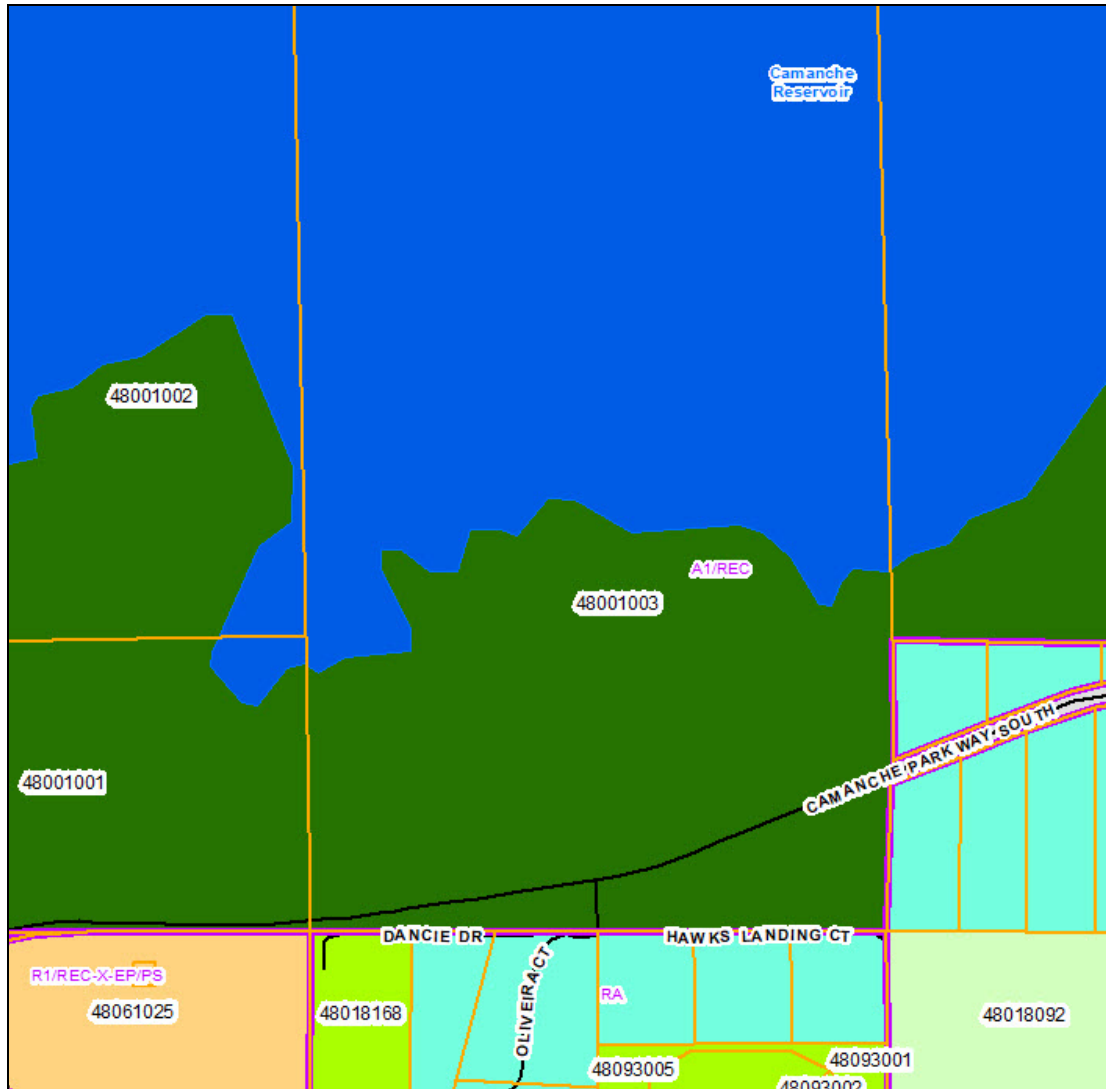


**Figure 2- Portion of APN 048-001-003 to be disposed (approximately 14 acres)**



**Table 2- APN 048-001-003 Zoning and Land Use Designation**

EBMUD PARCEL AND APN IDENTIFICATION	ZONING AND GENERAL PLAN LAND USE DESIGNATION
<p>048-001-003</p> <p>14-acre portion of 524.44 acres</p> <p>South Comanche Parkway, Oliveira Court</p> <p>CAM 2 POR CAM82 95G SECS 2 11 14 T4R9</p>	<p>Zoning: General Agriculture and Recreation (A-1/REC)</p> <p>14-acre portion is designated REC</p> <p>Land Use: Resource Management (RM)</p>



**Land Use Designation and Zoning Classification of APN 048-001-003**

## CONFORMANCE DETERMINATION FOR APN 048-001-003

The proposed 25-acre portion of APN 048-001-003 has been determined not to be in conformance with the Calaveras County Zoning Code and General Plan.

1. The existing General Plan Land Use Designation of Resource Management allows for a minimum parcel size of 160 acres. The existing zoning of REC for this portion of the parcel allows for a minimum parcel size of 5 acres.

A Lot Line Adjustment of APN 048-001-003 with an adjacent parcel would meet the conformance requirements of the General Plan and Zoning Code only where the General Plan Land Use Designation and Zoning match between the parcels being adjusted. However, as there is currently no matching adjacent parcels, a General Plan Amendment and Zoning Amendment would be required.

Please contact the Planning Department if there is additional information that we can provide at this time.

Sincerely,

A handwritten signature in blue ink that reads "Madeleine Flandreau". The signature is written in a cursive style with a large initial 'M'.

Madeleine Flandreau, Planner II