
CHAPTER 4

LAND USE

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This chapter addresses the potential land use impacts associated with the proposed Livingston's Concrete Batch Plant project, which consists of the construction and operation of a concrete batch plant on an approximately five-acre parcel. The site would include a 1,440 square-foot office building, a 1,800 square-foot warehouse building, a concrete batch plant, wash areas for concrete trucks, and parking for concrete trucks and employee vehicles. The project may also include a 900 square-foot single story apartment to be used as a caretaker's residence, as discussed in CHAPTER 3 PROJECT DESCRIPTION.

This chapter evaluates potential environmental impacts of the project related to developing the project site, as well as the compatibility of the proposed development with surrounding land uses.

4.1 ENVIRONMENTAL SETTING

Project Location

The project site is located near the unincorporated community of Ophir in Placer County, California, approximately one mile west of the Auburn city limits. The parcel is situated between Interstate 80 (I-80) and Ophir Road near Geraldson Road (refer to *Figure 3-1 Site and Vicinity Map* and *Figure 3-2 Aerial Photo*). The site appears on the Auburn 7.5-minute series U.S. Geological Survey quadrangle, in Section 20, Township 12 North, Range 8 East. It occupies Placer County Assessor's Parcel Number (APN) 040-271-042 (refer to *Figure 3-3 Parcel Map*).

Project Site Description

The rectangular-shaped parcel is undeveloped. It supports vegetation consisting of annual grasses, shrubs, and a dense grove of small trees located on the northwest corner of the site (KC Engineering, 2003). Tree varieties include apple, pine, locust, and several varieties of native oaks (NFA, 2005). The parcel gently slopes down to the north, east and west from the high point at the middle of the southern property line. With a maximum elevation differential of approximately 30 feet, ground elevations range from ± 955 above mean sea level (msl) along the project's frontage on Ophir Road to approximately ± 985 feet above msl at the southern property boundary adjacent to I-80. The site's northern boundary is located approximately five to six feet higher in elevation than Ophir Road. The area between the property line and Ophir Road contains a slope, a drainage ditch, and a gas pipeline.

Existing Land Uses

Project Site

Historically, this land was the site of an apple orchard and remains partially populated with remnant apple trees. The project site is currently vacant.

Surrounding Area

Manufacturing and processing businesses, including a propane retailer and a landscape stone supplier occur on parcels abutting the west and northwest boundaries of the project site at the corner of Ophir Road and Geraldson Road. The parcel abutting the project site on the east is currently undeveloped; the parcel north of the project site (across Ophir Road) supports two

residential structures – an occupied residence in the eastern portion of the parcel, and a dilapidated and vacant residential structure in the western portion. The vacant structure has been declared by Placer County to be uninhabitable, and is not expected to be repaired (Bollard, 2007). The occupied residence is approximately 300 feet north of the project site. I-80 abuts the project site along its southern boundary. Surrounding land uses are shown in *Figure 4-1*.

General Plan Land Use and Zoning Designations

Project Site

The *Ophir General Plan* land use designation for the project site is Commercial (C). This designation allows a variety of urban commercial areas including, but not limited to, general and heavy commercial uses, highway service areas, and neighborhood-serving commercial centers. This designation is typically applied within urban areas where the commercial development will be near major transportation corridors, as well as other commercial areas or centers.

The *Placer County Zoning Ordinance* assigns the project site a zoning designation of C3-UP-DC. It is located within a C3 (Heavy Commercial) zone district. Combining designations applied to the zoning on this site include -UP (Use Permit required), and -DC (Design Scenic Corridor). The zoning and combining districts are described in greater detail below.

C-3: The heavy commercial district provides areas for intensive service commercial uses primarily of a non-retail nature, some of which require outdoor storage or activity areas. Limited retail and office uses are allowed to the extent that they are compatible with the heavy commercial uses. Sections 17.06.050 et seq., allow caretaker and employee housing in the C3 Heavy Commercial zone district subject to zoning clearance pursuant to the requirements of Section 17.56.090 (Caretaker and Employee Housing).

UP: The UP combining designation is used to identify sensitive areas of the County where any proposed use or development may raise significant land use policy issues and/or community concerns and, therefore, should be afforded the level of review required to obtain a use permit. Pursuant to Section 17.24.010 of the *Placer County Zoning Ordinance*, approval by the County of a minor use permit is required for manufacture of concrete products in the C-3 zone district.

DC: The purpose of the Design Scenic Corridor combining district is to provide special regulations to protect and enhance the aesthetic character of lands and buildings within public view; to protect historic buildings; to minimize any adverse impacts of conflicting land uses; to enhance tourism through the protection of lands and buildings having unique aesthetic characteristics; and to provide special project review procedures for lands and uses that, by their nature, require special attention to landscaping, circulation, and/or energy conservation. The project site carries this designation because it is adjacent to I-80 and because it is adjacent to Ophir Road, which is a heavily traveled corridor between Ophir and Auburn and forms a portion of historic Route 40.

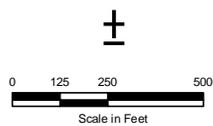


Figure 4-1
SURROUNDING LAND USES
Livingston's Concrete Batch Plant
 Placer County, California

Surrounding Area

The properties east and north-to-northwest of the project site (across Ophir Road) are designated as Commercial in the *Ophir General Plan*—the same as the project site. The parcel adjacent to the west and the parcel northwest of the site (at the intersection of Geraldson Road and Ophir Road), are designated for Industrial land uses, including all types of manufacturing, assembly, storage and distribution.

Parcels abutting the project site on the east and the parcels across Ophir Road, north and northwest of the site are within the C3-UP-Dc zone district, the same zone district as the project site. Parcels immediately west of the project site are within the INP-Dc zone district (Industrial Park, Design Corridor combining district).

Land use and zoning designations for the project site and surrounding parcels are shown in *Figure 4-2*. The use proposed by this project is allowed under the current designations, and no change to land use or zoning designations are proposed or necessary.

Land Ownership

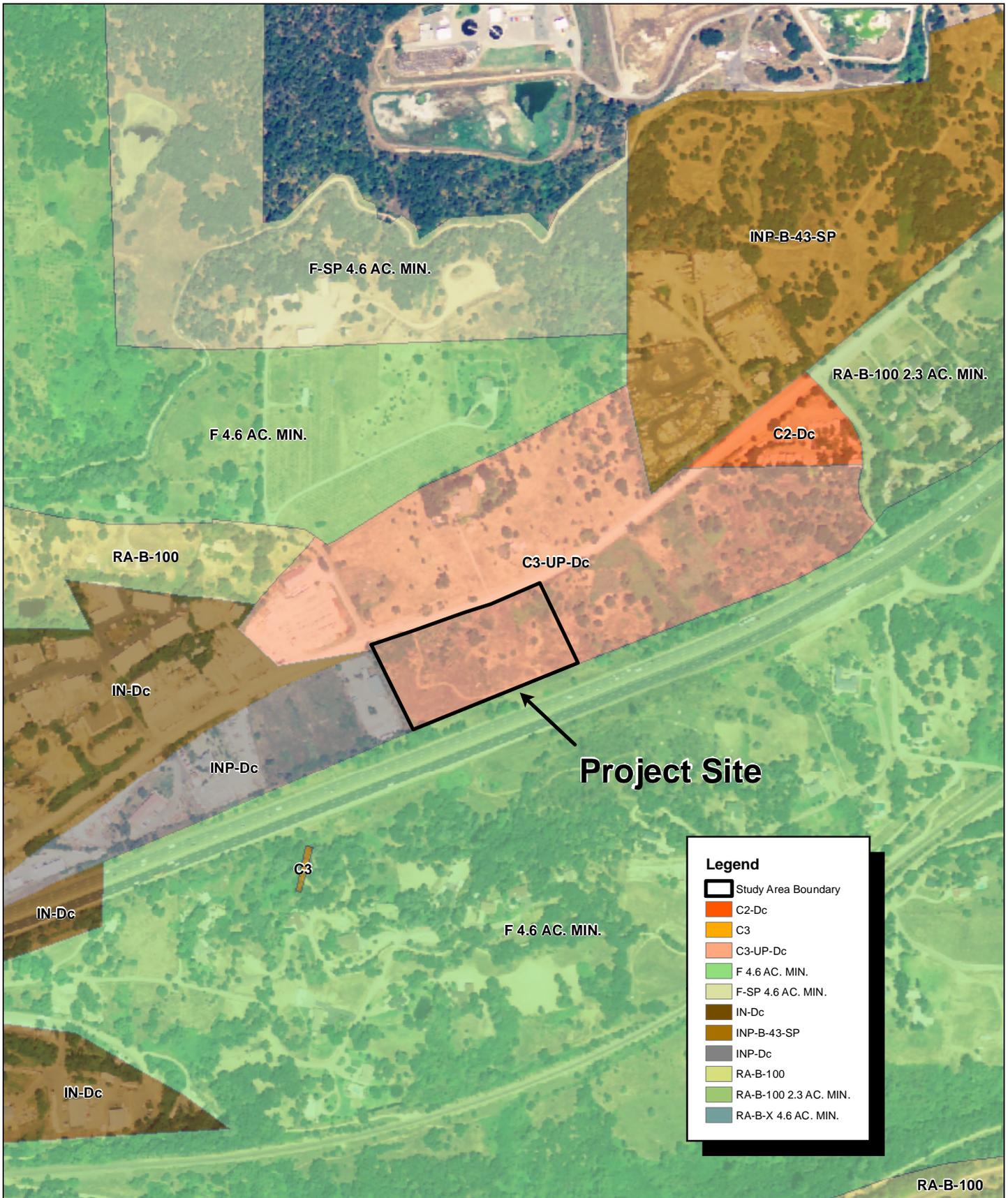
The project site is owned by Livingston's Concrete Service, Inc.

Agricultural Lands

At one time, the vacant site was cultivated as a fruit orchard. It is no longer in active agricultural production. The land is currently designated by Placer County for commercial development. None of the land in close proximity to the project site is being actively farmed or used for agricultural activities.

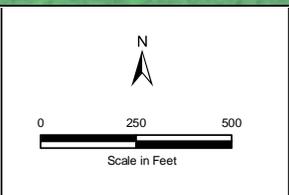
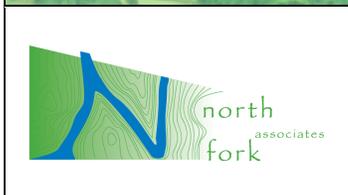
Land Development Trends

Situated between the urbanized communities of Auburn and Loomis, the project area is located within a relatively rural unincorporated area of mid-Placer County. During the past 15 years, land has developed along the I-80 corridor in the Newcastle/Ophir area but to a lesser extent than areas farther west along the I-80 corridor. Consequently, areas around the project site (along Ophir Road) have not experienced the rapid urbanization that has occurred in other mid- and south Placer County communities. Nevertheless, the demand for construction materials and home improvement products, such as those manufactured and/or distributed by the existing businesses in the project site vicinity, has continued to increase due to the County's overall rapid growth. It is anticipated that businesses will continue to grow in Placer County to meet this increased demand for goods and services.



Legend

- Study Area Boundary
- C2-Dc
- C3
- C3-UP-Dc
- F 4.6 AC. MIN.
- F-SP 4.6 AC. MIN.
- IN-Dc
- INP-B-43-SP
- INP-Dc
- RA-B-100
- RA-B-100 2.3 AC. MIN.
- RA-B-X 4.6 AC. MIN.



NOTES:
Aerial Photo Date: August 2005

Figure 4-2
LAND USE AND ZONING DESIGNATIONS
Livingston's Concrete Batch Plant
Placer County, California

4.2 REGULATORY SETTING

The project site is located within the land use planning areas of the *Placer County General Plan* and *Ophir General Plan*. Both documents set forth goals, policies, and implementation measures to guide land use and development of the project site. A discussion of the proposed project's consistency with the General Plan policies is included in Appendix B.

Placer County General Plan

The General Plan states the County's development goals and policies; sets the land use, housing, and development policies for the County; designates allowable land uses for all property throughout the unincorporated portions of the county; and identifies Community Plan areas. The *Placer County General Plan* contains policies broadly governing development within unincorporated Placer County.

Ophir General Plan

The *Ophir General Plan* is a Community Plan level document that establishes a growth framework for the project area. All activity within the *Ophir General Plan* area is required to be consistent with the provisions of that plan. The *Ophir General Plan* designates the project site for Commercial uses.

Placer County Zoning Ordinance

The purpose of the *Placer County Zoning Ordinance* (Chapter 17 of the *Placer County Code*) is to implement the goals, policies and objectives of the *Placer County General Plan* and the community plans (including the *Ophir General Plan*). The Zoning Ordinance regulates all land uses and development within the unincorporated areas of Placer County by identifying allowable uses and development standards for each zone district.

4.3 IMPACTS

This section identifies and discusses environmental impacts that would result from construction and operation of the proposed project. All potential physical impacts directly related to land use have been determined to be less than significant. The final impact in this chapter relates to the consistency of the proposed project with all applicable County policies. That impact discusses potential inconsistencies for all environmental resource areas (i.e., all other analysis chapters of this EIR) and identifies mitigation measures needed to eliminate the inconsistencies. These mitigation measures are found in their respective chapters and are not repeated in this chapter.

Significance Criteria

Potential significant impacts associated with land use have been evaluated based on the project's potential to result in:

- Disruption or division of the physical arrangement of an established community;
- Incompatibility with surrounding land uses (current and planned);
- Conversion of land from agricultural to suburban uses or impairment of agricultural productivity of prime agricultural land; and

- Inconsistency with local and regional land use plans and policies.

Project Impacts

IMPACT 4.1:	Disrupt Or Divide An Established Community
SIGNIFICANCE:	No Impact
MITIGATION:	None
Proposed:	N/A
Significance After Proposed Mitigation:	N/A
Recommended:	N/A
RESIDUAL SIGNIFICANCE:	No Impact

Construction of the proposed concrete batch plant would convert undeveloped land to a heavy commercial/industrial use, consistent with the land use and zoning designations for the project site. The majority of businesses on surrounding properties provide goods and services that support construction-related activities. The project site is located in the vicinity of land uses that are complementary to and compatible with the proposed concrete batch plant. Development of manufacturing and processing uses at the project site is considered consistent with the County’s plan for land use in the area.

In addition to other commercial land uses, rural residential land uses exist north and northeast of the project site. The nearest residence is located on the eastern portion of the parcel north of the project site - approximately 300 feet from the project site’s northern boundary. Additionally, a series of residences is located on the south side of I-80, approximately 300 feet from the project site. The proposed development would not disrupt or divide an established community.

IMPACT 4.2:	Conversion Of Land From Agricultural To Suburban Uses
SIGNIFICANCE:	No Impact
MITIGATION:	None
Proposed:	N/A
Significance After Proposed Mitigation:	N/A
Recommended:	N/A
RESIDUAL SIGNIFICANCE:	No Impact

The project site, which was previously cultivated as an apple orchard, is not classified as prime agricultural land and is not presently being used for agricultural production. There is no Williamson Act contract on this site or in the vicinity; the project will not cause any Williamson Act land to convert to non-agricultural uses. Converting this undeveloped land to manufacturing and processing uses would have no impact on agriculture within Placer County.

IMPACT 4.3:	Compatibility With Surrounding Land Uses
SIGNIFICANCE:	Less than Significant
MITIGATION:	None
Proposed:	N/A
Significance After Proposed Mitigation:	N/A
Recommended:	N/A
RESIDUAL SIGNIFICANCE:	Less than Significant

The County has planned for development of the site with heavy commercial uses, including manufacturing and processing activities as specified in the Zoning Ordinance. Uses similar to the proposed project – light industrial and other heavy commercial businesses – currently exist to the west and northwest of the project site, while all other property adjacent to the project site is designated for heavy commercial development. The current and planned uses are considered mutually compatible and the potential for conflicts between the proposed project and adjacent land uses is considered less than significant.

CHAPTER 5 TRANSPORTATION AND CIRCULATION, CHAPTER 6 HYDROLOGY AND WATER QUALITY, and CHAPTER 7 NOISE of this EIR evaluate potential impacts specific to those resource areas. Specifically, these chapters consider the compatibility of the proposed project with existing light industrial, commercial, and rural residential land uses in the project vicinity. The analysis of potential impacts related to transportation and circulation, hydrology and water quality, and noise conclude that there are no impacts that could not be mitigated to a less than significant level. Therefore, the physical environmental changes that the proposed project would create would not have a direct impact on nearby residential land uses, and the project is considered to be compatible with those existing uses.

IMPACT 4.4:	Consistency With Placer County Plans And Policies
SIGNIFICANCE:	Potentially Significant
MITIGATION:	
Proposed:	None
Significance After Proposed Mitigation:	Potentially Significant
Recommended:	Mitigation Measures 4.4a and 4.4b
RESIDUAL SIGNIFICANCE:	Less than Significant

County plans and ordinances applicable to the proposed project are identified in each of the environmental resource chapters in this EIR and the project’s consistency with applicable General Plan policies is evaluated in Appendix B. Specific policies with which the project is inconsistent are identified in *Table 4.1* below, which also identifies the mitigation measures included in this EIR that will bring the project into compliance with each policy.

Consistency with Land Use and Zoning Designations

Development of the project would establish a concrete batch plant and accessory uses on a site that is presently designated for Commercial uses, and zoned Heavy Commercial (C3-UP-DC),

which allows manufacturing and processing uses. The proposed project is consistent with these land use and zoning designations. Surrounding land is also designated for heavy commercial or business professional/industrial land uses. Therefore, the proposed concrete batch plant would be consistent with the existing and planned land uses for this area.

Availability of Adequate Infrastructure and Services

While no incompatibility with surrounding land uses is expected with this project, as discussed in Impact 4.3 above, the proposed project is inconsistent with Placer County policies related to provision of utility services to the project. Since no public water supply or sewer service is available in the project area at the present time, the proposed project would use groundwater from an existing onsite well and dispose of wastewater in an onsite septic system, to be constructed as part of this project. This would not involve treatment of any industrial process water or other waste through the onsite septic system.

The method of water supply and wastewater disposal would conflict with Policy 1.E.1 of the *Placer County General Plan* which states that new industrial development shall only be approved if there is adequate infrastructure available. For industrial development, Placer County typically interprets “adequate infrastructure” to include public water supply and public sewer connections, so the County can ensure sufficient water supply is available and that the potential for environmental impacts related to treatment of industrial process wastewater is avoided. While it is expected that Placer County Water Agency (PCWA) would be able to provide a water supply to the site as early as 2011, the project would initially rely upon groundwater for its water supply. Extension of sewer service to the project site is not currently planned.

With implementation of *Mitigation Measures 4.4a* and *4.4b*, which require the proposed facility to connect to public water and sewer as soon as these services become available, the project’s inconsistency with Policy 1.E.1 is expected to be short-term. Environmental impacts on groundwater supply and groundwater quality as a result of the interim use of groundwater and onsite wastewater disposal is analyzed separately in **CHAPTER 6 HYDROLOGY AND WATER QUALITY**. As discussed in the Initial Study for this project (included with the NOP in Appendix A), impacts resulting from this inconsistency with County policy alone are considered less than significant.

Table 4.1
Policy Consistency

County Policy	Potential Inconsistency	Mitigation Measure
Policy 1.E.1	Short-term inconsistency with use of groundwater and septic due to lack of available infrastructure.	MM 4.4a and MM 4.4b: Connect to municipal water and County sewer system when services are available.

4.4 MITIGATION MEASURES

Disrupt or Divide an Established Community

No mitigation measures are necessary.

Conversion of Land from Agricultural to Suburban Uses

No mitigation measures are necessary.

Compatibility with Surrounding Land Uses

No mitigation measures are necessary.

Consistency with Placer County Plans and Policies

Proposed Mitigation

No mitigation measures are proposed.

Recommended Mitigation

Mitigation Measure 4.4a: At such time as public water supply is extended to the area of the proposed project and becomes available for connection, the owner/operator of the site must abandon the onsite well in favor of connection to treated public water. Public water is considered available for connection if the water supply is within 1,000 feet of any boundary of the property, as measured in a straight line, and the connection can be legally and physically achieved.

Mitigation Measure 4.4b: At such time as sewer service is extended to the area of the proposed project and becomes available for connection, the owner/operator of the site must abandon the onsite septic system in favor of connection to the wastewater system. Sewer service is considered available for connection if the sewage collection line is within 1,000 feet of any boundary of the property, as measured in a straight line, and the connection can be legally and physically achieved.