



EL DORADO COUNTY PLANNING SERVICES

John Knight..... District I
John MacCready..... District II
Dave Machado..... District III
Walter Mathews..... District IV
Alan Tolhurst..... District V
Jo Ann Brillisour..... Clerk of the Commission

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MINUTES

**Regular Meeting of the Planning Commission
January 24, 2008 – 8:30 A.M.
BUILDING C HEARING ROOM
2850 Fairlane Court, Placerville, CA**

1. CALL TO ORDER

Meeting called to order at 8:35 a.m. Present: Commissioners Mac Cready, Machado, Mathews, Tolhurst (after 8:50 a.m.), and Knight; Paula F. Frantz, County Counsel; and Jo Ann Brillisour, Clerk to the Planning Commission.

2. ADOPTION OF AGENDA

MOTION: COMMISSIONER MATHEWS, SECONDED BY COMMISSIONER MACHADO AND UNANIMOUSLY CARRIED, IT WAS MOVED TO ADOPT THE AGENDA, AS PRESENTED.

3. PLEDGE OF ALLEGIANCE

A Pledge of Allegiance was given by the Commission and those persons in the audience.

4. DEPARTMENTAL REPORTS AND COMMUNICATIONS

These items were considered during the day as time permitted.

Election of Officers: The Commission elected a Chair, First Vice-Chair, and Second Vice-Chair for 2008.

Commissioner Tolhurst was not present during the Election of Officers.

MOTION: COMMISSIONER KNIGHT, SECONDED BY COMMISSIONER MAC CREADY AND UNANIMOUSLY CARRIED, IT WAS MOVED TO NOMINATE COMMISSIONER TOLHURST CHAIR FOR 2008.

MOTION: COMMISSIONER MATHEWS, SECONDED BY COMMISSIONER KNIGHT AND UNANIMOUSLY CARRIED, IT WAS MOVED TO NOMINATE COMMISSIONER MAC CREADY FIRST VICE CHAIR FOR 2008.

MOTION: COMMISSIONER KNIGHT, SECONDED BY COMMISSIONER MAC CREADY AND UNANIMOUSLY CARRIED, IT WAS MOVED TO NOMINATE COMMISSIONER MACHADO SECOND VICE CHAIR FOR 2008.

Updates: Tentative Map TM06-1425/Shady Glenn and TM07-1447/Farren

Gina Hunter gave the Commission updates on the subject maps. The drainage study is still incomplete for Shady Glen (TM06-1425). Eileen Crawford, Department of Transportation, further explained. For TM07-1447, staff is waiting for a biological survey to be submitted for the project.

Larry Appel introduced David Storer, Interim Development Services Director.

5. COMMISSIONERS' REPORTS

Commissioner Machado asked about the discussion on fast-tracking. Larry Appel said that item was continued off calendar. David Storer commented the Board may be discussing this issue on January 29.

Chair Knight said two Commissioners met with staff to discuss the initial inventory for mapping of the Interim Natural Resource Management Plan.

6. CONSENT CALENDAR (All items on the Consent Calendar were approved by one motion unless a Commission member requested separate action on a specific item.)

a. **Minutes:** January 10, 2008

b. **River Use Permits:** Request submitted by JERRY ASHBURN, President of Earthtrek Expeditions, Inc., to transfer a portion of RUP #03 to RUP#58, Expeditions, Inc., and transfer of RUP #03 to Pacific Coast Ventures Group, Inc. (dba American Adventures)

Staff: Noah Rucker-Triplett recommended approval.

c. **GOV07-0012** submitted by the EL DORADO COUNTY GENERAL SERVICES DEPARTMENT for a finding of consistency with the General Plan for the acquisition of the proposed Rubicon Public Trail Easement, identified by Assessor's Parcel Number 010-090-12, consisting of 102.5 acres, located along the northwestern shore of Loon Lake, east of the terminus of Wentworth Springs Road, and north of the terminus of Ice House Road.

Staff: Thomas A. Lloyd recommended the Commission find the request consistent with the County General Plan.

- d. **GOV08-0001** submitted by the EL DORADO COUNTY DEPARTMENT OF TRANSPORTATION for a finding of consistency with the General Plan for their 2008 Capital Improvement Program.

Staff: Larry Appel recommended the Commission find the request consistent with the County General Plan.

- e. **Finding of Consistency GOV07-0009** – Pioneer Fire Protection District Capital Improvement Plan

This item was continued from the meeting of January 10, 2008.

Staff recommended this item be continued to the meeting of February 14 as the fire district is currently in the process of reducing their proposed fee and must take the item before their Board on February 11.

CONSENT CALENDAR ACTION:

END OF APPLICATION CONSENT CALENDAR

MOTION: COMMISSIONER TOLHURST, SECONDED BY COMMISSIONER MAC CREADY AND UNANIMOUSLY CARRIED, IT WAS MOVED TO APPROVE THE CONSENT CALENDAR, CONTINUING ITEM 6.e. TO THE MEETING OF FEBRUARY 14, 2008, ON THE REGULAR AGENDA.

PUBLIC FORUM/PUBLIC COMMENT – David Pratt and Art Marinaccio commented on Item 9. See that item for input.

7. REZONE/TENTATIVE PARCEL MAP (Public Hearing)

Z07-0020/P07-0018 submitted by BRUCE TEIE (Engineer: Bob Olson) to rezone property from Estate Residential Ten-acre (RE-10) to Estate Residential Five-acre (RE-5) and a tentative parcel map to subdivide the subject property into two five-acre parcels. The property, identified by Assessor's Parcel Number 051-230-33, consisting of 10.002 acres, is located on the south side of Coon Hollow Road, approximately 1.25 miles southeast of the intersection with State Route 49, in the **Placerville Periphery area**, Supervisorial District III. (Negative declaration prepared)

Staff: Tom Dougherty recommended approval to the Board of Supervisors. The applicant was present but had no comment. There was no one else in the audience wishing to give input.

MOTION: COMMISSIONER MACHADO, SECONDED BY COMMISSIONER MATHEWS AND UNANIMOUSLY CARRIED, IT WAS MOVED TO FORWARD A RECOMMENDATION THAT THE BOARD OF SUPERVISORS ADOPT THE NEGATIVE DECLARATION, AS PREPARED; APPROVE Z07-0020 REZONING ASSESSOR'S PARCEL NUMBER 051-230-33 FROM ESTATE RESIDENTIAL TEN-ACRE (RE-10) TO

ESTATE RESIDENTIAL FIVE-ACRE (RE-5), BASED ON THE FINDINGS PROPOSED BY STAFF; AND APPROVE P07-0018 BASED ON THE FINDINGS AND SUBJECT TO THE CONDITIONS PROPOSED BY STAFF.

Findings

1.0 CEQA FINDINGS

- 1.1 The Planning Commission has considered the Negative Declaration together with the comments received and considered during the public review process. The proposed project, as conditioned, will not have a significant effect on the environment. The Negative Declaration reflects the independent judgment of the County and has been completed in compliance with CEQA and is adequate for this proposal.
- 1.2 The Planning Commission finds that through feasible conditions placed upon the project, impacts on the environment have been eliminated or substantially mitigated.
- 1.3 The documents and other materials which constitute the record of proceedings upon which this decision is based are in the custody of the Development Services-Planning Services at 2850 Fairlane Court, Placerville, CA.

2.0 REZONE FINDING

- 2.1. **That the rezone is consistent with the adopted 2004 General Plan Land Use Designation and the policies of the General Plan** because the Estate Residential Five-acre (RE-5) Zone is consistent with the Low Density Residential (LDR) land use designation based on the Consistency Matrix, Table 2-4. The RE-5 zone allows parcels to be a minimum of five acres in size while the LDR designation allows 5.0 to 10.0 acres depending on the availability of infrastructure and public resources. The rezone is compatible with the surrounding pattern of development where a majority of parcels are five acres or larger within a 500-foot radius of the property. With the tentative parcel map site design and the project-specific conditions related to improvements for infrastructure, this project meets the applicable conditions of *Policy 2.2.5.3*. This project also meets applicable policies outlined by the General Plan including, but not limited to, those established for wetland buffers, preservation of oak woodland tree canopy, slope preservation, and adequacy of public services and utilities.

3.0 TENTATIVE PARCEL MAP FINDINGS

- 3.1 **The proposal conforms to the County's zoning regulations and Minor Land Division Ordinance** because they are of adequate size for the Estate Residential Five-acre (RE-5) zone district, there is adequate emergency and standard vehicular access provided, and public facilities and existing utilities to support the residential uses.

- 3.2 **The site is physically suitable for the proposed type and density of development** because the parcels have existing facilities and utilities to support the residential uses on site.
- 3.3 **The proposed tentative map is not likely to cause substantial environmental damage** because the access roadway to both parcels will require minor modifications to the existing rough-graded roadway including surfacing and width improvements. The impacts from all other potential impacts have been analyzed in the Initial Study and, as conditioned, have been found to be less than significant.

Conditions

CONDITIONS OF APPROVAL

Project Description

1. This rezone and tentative parcel map is based upon and limited to compliance with the project description, the Planning Commission hearing exhibits marked Exhibits A-L, dated January 24, 2008, and conditions of approval set forth below. Any deviations from the project description, exhibits or conditions must be reviewed and approved by the County for conformity with this approval. Deviations may require approved changes to the permit and/or further environmental review. Deviations without the above-described approval will constitute a violation of permit approval.

The project description is as follows:

Approval of this project allows the following: rezone of the 10.002-acre lot referenced as Assessor's Parcel Number 051-230-33 from Estate Residential Ten-acre (RE-10) to Estate Residential Five-acre (RE-5) and a tentative parcel map to subdivide the 10.002-acre parcel into two 5.001-acre parcels. Future single-family-residential development shall occur outside of the required 30-foot front, side and rear yard setback areas with septic areas to be located no closer than 50 feet from the man-made drainage channel and no closer than 100 feet from the pond. New development will connect to the existing El Dorado Irrigation District (EID) 6-inch water line located in Coon Hollow Road and septic disposal areas will occur on the property and outside of the 50-foot drainage and 100-foot pond buffer areas. Access onto the property will be provided by an improved road terminating in a turn around within Parcel 2.

The grading, development, use, and maintenance of the property, the size, shape, arrangement, and location of structures, parking areas and landscape areas, and the protection and preservation of resources shall conform to the project description above and the hearing exhibits and conditions of approval below. The property and any portions thereof shall be sold, leased or financed in compliance with this project description and the approved hearing exhibits and conditions of approval hereto. All plans must be submitted for review and approval and shall be implemented as approved by the County.

2. In the event of the discovery of human remains, all work is to stop and the County coroner shall be immediately notified pursuant to Section 7050.5 of the Health and Safety Code and Section 5097.98 of the Public Resources Code. If the remains are determined to be Native American, the Coroner must contact the Native American Heritage Commission within 24 hours. The treatment and disposition of human remains shall be completed consistent with guidelines of the Native American Heritage Commission.
2. A 50-foot non-building setback shall be recorded on the final parcel map from the high water mark of the ponding area on the south end of Parcel 2 as shown on Exhibit G.
3. The applicant shall be required to pay Park-in-Lieu fee of \$150.00 payable to El Dorado County, pursuant to El Dorado County Subdivision Ordinance Chapter 16.12.090. A receipt showing compliance with this condition shall be submitted by the applicant to the Planning Services prior to recordation of the final parcel map.
4. The applicant shall make the actual and full payment of planning processing fees for the rezone and the tentative parcel map application prior to filing the parcel map.
5. In the event of any legal action instituted by a third party challenging the validity of any provision of this approval, the developer and landowner agree to be responsible for the costs of defending such suit and shall hold County harmless from any legal fees or costs County may incur as a result of such action, as provided in Section 66474.9(b) of the California Government Code.

The subdivider shall defend, indemnify, and hold harmless El Dorado County and its agents, officers, and employees from any claim, action, or proceeding against El Dorado County or its agents, officers, or employees to attack, set aside, void, or annul an approval of El Dorado County concerning a subdivision, which action is brought within the time period provided for in Section 66499.37. County shall notify the subdivider of any claim, action, or proceeding and County will cooperate fully in the defense.

Department of Transportation

6. The applicant shall form and/or verify the existence of an entity, to the satisfaction of DOT, for maintenance of all on-site roads and/or drainage facilities not maintained by the County, which is required for access to Coon Hollow Road, prior to the filing the parcel map.
7. Per Volume 2, Section 3.a.2.c.ii of the County of El Dorado Design and Improvements Manual (DISM), roadway width and surfacing for access roads to Minor Land Divisions, the road preparation and graded width shall be to minimum County standards. Because the on-site roadway is serving 2 lots, the roadway must be per DISM 101C, with a minimum roadway width of 18-feet with a 1-foot shoulder on each side and must have a stable all-weather gravel or paved surface with a turnaround per DISM 114 or approved equivalent to the satisfaction of DOT and the Fire District. The improvements shall be substantially completed, to the approval of the Department of Transportation or the

- applicant shall obtain an approved improvement agreement with security, prior to the filing of the parcel map.
8. The applicant shall obtain encroachment permits onto Coon Hollow Road and shall construct said encroachments per DISM Standard Plan 103C prior to the filing of the parcel map.
 9. Per the DISM Standard plan 103A-2, the proposed driveways serving Lot 2 shall be a minimum of 12 feet in width. The improvements shall be substantially completed, to the approval of the Department of Transportation or the applicant shall obtain an approved improvement agreement with security, prior to the filing of the parcel map.
 10. All on and off-site road improvement requirements required as conditions of approval and/or mitigation measures shall be analyzed in the environmental document for this development project to the appropriate extent under CEQA . Any improvements that are not thoroughly analyzed shall include a discussion and justification under that particular impact analysis within the CEQA document as to the circumstances preventing such analysis along with a method and time frame for any future analysis. Mitigation measures that are included in the 5 year CIP must have the CEQA processing completed to fulfill this condition as funded and programmed per the 2004 General Plan Policy TC-Xf.
 11. As specified in the Conditions of Approval, the subdivider is required to perform off-site improvements. If it is determined that the subdivider does not have or cannot secure sufficient title or interest of such lands where said off-site improvements are required, the County may, at the subdivider's expense and within 120 days of filing the Parcel Map, acquire by negotiation or commence proceedings to acquire an interest in the land which will permit the improvements to be made, including proceedings for immediate possession of the property. In such cases, prior to filing of any final map or parcel map, the subdivider shall submit the following to the Department of Transportation Right of Way Unit, and enter into an agreement pursuant to Government Code Section 66462.5 and provide acceptable security to complete the offsite improvements, including costs of acquiring real property interest to complete the required improvements, construction surveying, construction management and a 20 percent contingency:
 - a. A legal description and plat, of the land necessary to be acquired to complete the offsite improvements, prepared by a civil engineer or land surveyor.
 - b. Approved improvement plans and specifications of the required off-site improvements, prepared by a civil engineer.
 - c. An appraisal prepared by a certified appraiser of the cost of land necessary to complete the off-site improvements.

- In addition to the agreement the subdivider shall provide a cash deposit, letter of credit, or other acceptable surety in an amount sufficient to pay such costs including legal costs subject to the approval of county counsel.
12. The developer shall enter into an Improvement Agreement with the County and provide security to guarantee performance of the Improvement Agreement as set forth within the County of El Dorado Subdivision Ordinance, prior to the filing of the Parcel Map.
 13. If site improvements are to be made, the applicant shall submit a site improvement/grading plan prepared by a professional civil engineer to the Department of Transportation for review and approval. The plan shall be in conformance with the County of El Dorado "Design and Improvement Standards Manual", the "Grading, Erosion and Sediment Control Ordinance", the "Drainage Manual", the "Off-Street Parking and Loading Ordinance", and the State of California Handicapped Accessibility Standards.
 14. The applicant shall provide a soils report at time of improvement plan or grading permit application addressing, at a minimum, grading practices, compaction, slope stability of existing and proposed cuts and fills, erosion potential, ground water, pavement section based on TI and R values, and recommended design criteria for any retaining walls.
 15. Any import, or export to be deposited within El Dorado County, shall require an additional grading permit for that off-site grading.
 16. The applicant shall provide a drainage report at time of improvement plans or grading permit application, consistent with the Drainage Manual and the Storm Water Management Plan, which addresses storm water runoff increase, impacts to downstream facilities and properties, and identification of appropriate storm water quality management practices to the satisfaction of the Department of Transportation.
 17. This project disturbs more than one acre of land area (43,560 square feet). At the time that an application is submitted for improvement plans or a grading permit, the applicant shall file a "Notice of Intent" (NOI) to comply with the Statewide General NPDES Permit for storm water discharges associated with construction activity with the State Water Resources Control Board (SWRCB). This condition is mandated by the State of California. A filing form, a filing fee, a location map, and a Storm Water Pollution Prevention Plan (SWPPP) are required for this filing. A copy of the Application shall be submitted to the SWRCB, with a duplicate copy submitted to the County, prior to building permit issuance, and by state law must be done prior to commencing construction.
 18. Upon completion of the improvements required, and prior to acceptance of the improvements by the County, the developer will provide a CD to DOT with the approved drainage and geotechnical reports in PDF format and the approved record drawings in TIF format.

19. The applicant shall pay the traffic impact fees in effect at the time a building permit is deemed complete.

El Dorado County Fire Protection District

20. The applicant shall submit review fee of \$120.00.
21. Fire flow for this project is 1,000 gpm @ 20 psi for two hours.
22. The applicant shall provide documentation from El Dorado Irrigation District (Facility Improvement Letter) and the Fire District to show that the system will meet required fire flow for this project.
23. No additional hydrants will be required for this project.
24. Driveways shall be minimum of 12 feet in width. Driveways greater than 16 percent gradient must be paved. Driveways greater than 20 percent require a Fire District approved residential sprinkler system.
25. The applicant shall develop and implement a Fire District and Cal Fire approved Fire Safe Plan for the project parcels. Said plan shall be reviewed and approved by the District prior to filing the parcel map.
26. El Dorado County Department of Transportation standards may be more stringent and will supersede these requirements.
27. Any gates that are not shown shall require Fire District approval and/or approval of a special use permit through El Dorado County.

El Dorado County Office of the County Surveyor

28. All survey monuments must be set prior to filing the Parcel Map.
29. The roads serving the development shall be named by filing a completed Road Name Petition with the County Surveyors Office prior to filing the Parcel Map.
30. Prior to filing the Parcel Map, a letter will be required from all agencies that have placed conditions on the map. The letter will state that "all conditions placed on the map by (that agency) have been satisfied." The letter is to be sent to the County Surveyor and copied to the Consultant and the Applicant.

8. **SPECIAL USE PERMITS** (Public Hearing)

S07-0018/Executive Boat Club submitted by KAYLE and LAURA LARSEN to allow the operation of an expanded home business within an accessory building. The permit would allow for the storage of boats and recreational equipment within an existing structure. The property, identified by Assessor's Parcel Number 124-010-04, consisting of five acres, is located on the east side of Hidden Acres Drive, 0.20 mile south of the intersection with Green Valley Road, in the **El Dorado Hills area**, Supervisorial District I. (Categorically exempt pursuant to Section 15301 of the CEQA Guidelines)

Staff: Jonathan Fong recommended conditional approval. He gave the Commission 39 letters received in support of the application. Commissioner Machado asked if the building permit has been deemed complete. Mr. Fong said the permit has been issued. It is in the process of being finalized. Commissioner Machado asked if the building has been sprinklered. Mr. Fong said the fire district only commented on limiting the fuel storage.

Kayle Larsen said the electricity was there when they purchased the property. He asked for clarification on only one employee. Chair Knight asked if they would have more than one employee. Mr. Larsen explained their operation. They do not want the use limited to storage of equipment only. They also would like not to have the hours of operation restricted. Regarding maintenance and service, they would like to be able to do routine services on site.

Commissioner Mathews asked if there is a maximum number of members. Mr. Larsen replied there are 18 presently. They have not considered a maximum.

Commissioner Machado asked Mr. Larsen if he lives on the property. The response was no. Commissioner Machado asked how many boats are on the property now. Mr. Larsen replied four, two snowmobiles, several jet skis, all of which are inside the building. Commissioner Machado commented Mr. Larsen does have a job and is not making a living off this business. Mr. Larsen said that is correct.

Commissioner Mathews said previously this property was used for care and boarding of horses. There were trailers in and out of the property at that time.

Mark Obrochta said this is going to become a much larger use than it is today. He hopes that the Commission takes the residential area into consideration.

Lyndell Deatherage, resident across the street, stated they do come in at 10 or 11:00 p.m. They do not want that. The people in favor of the use do not live in the area. They do not want any of this. The applicant started this in December 2006. Why did it take so long to apply for a permit? If this is going to be a commercial operation, the area should all be commercial. They should not be able to go on the property after 5:00 p.m. The applicant does not live on the property.

Alex Jones, resident at the end of Miller Road, stated they want to build on their property. This is an expansion of a home based operation, and the applicant does not live there. It is a small road in a residential area. The people in favor do not live there and are affecting the people that do.

Darria Deatherage said they have lived on their property for six years and there have not been more than two horse trailers there. The applicant does not live on the property and is running a commercial business. She asked that the permit not be approved.

Bob Frew does not believe there are any restroom facilities. This is a commercial enterprise and not just a fun club.

Shawn Bennett spoke in favor of the use. This is not a business. It is a club. The applicant has spent a lot of money landscaping around the property to make it look better.

Tim Bolin, property owner in front of this property and be the storage facility, said this is definitely a business. When you advertise and are open to the public it is a business. There are people on the corner advertising the use. The applicant is accessing this commercial use by a residential easement. He is not against the business, but it should be in a commercial area. The permit needs to be denied.

Carolyn MacComber, the applicant's mother, stated she lives on the property. There are other people in the area with home businesses.

Laura Obrochta does not know of any neighbors running a business. The subject property is across from the Browns Ravine entrance. The applicant does not live on the property, so it is hard to establish this as a home business. This is residentially zoned property. She read her comments into the record. They ask that the permit be denied and that the structure be dismantled as they did not have the required permits.

Patty Andrus spoke in favor of the Larsen's.

Mary Cline has lived on her property for four year. She has not heard any noise in the evening from the facility. The noise she hears is from traffic on Green Valley Road. The neighbors should be glad if the business grows, because it will then be moved to a different location.

Mark Sanders said they are opposed to the use. The operation needs to get a lot bigger if it is going to be profitable. They would like to keep the area rural. The Advisory Committee voted unanimously to deny the project.

Matthew Crook, small business owner in El Dorado Hills, spoke in favor of the use. He spoke about personal property rights.

Richard Smith said if they do not do a certain amount of business, the operation will not work. If they move, the structure will still be there. It was not a good idea to purchase residential property for a commercial business.

Terry Woods, resident in Serrano, keeps her horse on the property and has not seen a lot of people going in and out of the site.

Marilyn Hagen has nothing against the Larsen's but is not in favor of the business. She would like it to remain a residential area.

Scott Wheeler spoke in favor of the use. This is a quiet area, and the property has been improved since it has been owned by the Larsen's.

Judd Rackham asked that the permit be approved.

Janie Stoker, friend of the Larsen's, spoke in favor of the use. Carolyn MacComber does live in the house.

Nick Bennett spoke in favor. It is a great family opportunity.

Art Marinaccio said if the Commission thinks the permit should be approved, it should be continued until the area is reviewed by the Commissioners. The decision is whether to extend commercial into this area. The Commission should look at the findings and conditions of approval for the storage facility.

Josh Nesbitt spoke in favor.

Mr. Larsen said he cares about the area, the neighbors, and the club members. They have improved the appearance of the property. They feel they fit into the area with the other businesses that are taking place.

Based on the testimony, Commissioner Machado said he is comfortable with his feeling that a business is being run on the property without the applicant living there. Paula Frantz, County Counsel, read the portion of the home occupation reference from the RE-5 Zone District. She stated the permit runs with the land. Commissioner Tolhurst could only approve this use if it was a rezone to commercial. He cannot make the findings for a home occupation. Commissioner Machado said the applicant has stated if the use grows they will move to another site. If the permit is approved, they do not have to move. They have their permit.

Gina Hunter informed the Commission that the applicant never stated they did not live on the property.

Chair Knight said one of the problems with a special use permit is that it runs with the land. That becomes a problem with him. If he were to consider approval, there would have to be conditions regarding a minimum number of members, boats, hours of operation would have to coincide with the park hours, no advertising, and no other structures.

Commissioner Mathews likes the idea but does not like the location. There probably could be conditions placed on the permit. He is frustrated this did not happen on commercial property. It does seem to be outside of the guidelines of a home occupation.

Commissioner Machado cannot make the findings for approval. He does not believe the business fits into the neighborhood.

Ms. Hunter said if the Commission passes the motion for denial, staff would bring back appropriate findings on the Consent Calendar at the next meeting.

MOTION: COMMISSIONER MACHADO, SECONDED BY COMMISSIONER TOLHURST AND CARRIED BY THE FOLLOWING VOTE: AYES – COMMISSIONERS TOLHURST, MATHEWS, MAC CREADY, AND MACHADO; NOES – COMMISSIONER KNIGHT, IT WAS MOVED TO CONCEPTUALLY DENY S07-0018, CONTINUING THE PROJECT TO THE CONSENT CALENDAR OF FEBRUARY 14, 2008, TO ADOPT THE FINAL FINDINGS.

9. GENERAL PLAN UPDATE

Policy Interpretation: General Plan Policy 8.1.3.1

Staff: Peter Maurer explained the current interpretation.

During the Public Forum, David Pratt gave the Commissioners a copy of his comments. He asked that no action be taken on this item today. Art Marinaccio spoke about meetings with the Agricultural Commission on this issue.

Peter Maurer presented this item. He explained the current interpretation of the policy.

Chair Knight spoke about having a joint workshop with the Agricultural Commission on agricultural policies of concern. Mr. Maurer asked that the Commission let him know if there are any policies that the Commissioners would like to discuss. Chair Knight asked that Commissioner Mac Cready work with Mr. Maurer on the policies to be discussed.

Robert Laurie, representing John Conforti, said he is not seeking any action on a project specific issue. They will have a conceptual project before the Commission in the future. Referring to the Policy, Mr. Laurie asked what the increase in density means.

John Conforti, owner of the old Vita Bark property, commented the property has a General Plan designation and zoning of Industrial. When they started surveying the property, the neighbors became concerned and did not know it was Industrial property. Mr. Conforti briefly explained his plan.

Commissioner Machado asked when a change in this policy would be final. Mr. Maurer said if the item is on the Agricultural Commission in March, it could be on the May Planning Commission agenda and the Board's agenda in June.

Kathy Russell, Gene Thorn's office, asked if this is a new way of interpreting the policy. She went over some background information on her request to amend the policy. Paula Frantz, County Counsel, read the policy and said there may have to be some amendments to Land Use policies as well as this agricultural policy.

Bill Stephans, Agricultural Commissioner, said the policy would be on the March agenda for the Agricultural Commissioner.

The Commission discussed holding a workshop with the Agricultural Commission at 9:00 a.m. on February 19. Mr. Stephans will check with his Commissioners. He would like something in writing as to what the policy amendment is. Ms. Russell gave Mr. Stephans the wording for her proposed amendment.

Art Marinaccio stated the policy amendment is simple: "Agricultural policies do not apply in Community Regions or Rural Centers."

Mr. Laurie will have his applicant's project in for conceptual review. He does not believe a policy amendment is necessary for this project.

Valerie Zetner was happy to hear about a joint workshop and will help in any way she can.

No action was taken.

10. ZONING ORDINANCE UPDATE

Review/Discussion: Update process

Staff: Roger Trout presented this item and gave a brief overview of the project.

Art Marinaccio spoke about conforming the multifamily zone district with state law. Mr. Trout said staff is currently working on the Housing Element, and there may be zoning ordinance updates pertaining to the Housing Element taken ahead of the zoning ordinance.

No action was taken.

11. WORKSHOP

Coordinated Processing in Building and Planning

Staff: Larry Appel briefly explained the item. Larry Lohman explained the handout.

Commissioner Machado asked why conditions now have to be placed on the blue prints instead of being stapled to the prints as was done previously. Mr. Lohman said the attachments would get lost, and it is easier for the inspectors.

Commissioner Machado feels splitting planners and plan checkers between Placerville and El Dorado Hills is a waste of resources.

Art Marinaccio said step number one is acknowledging there is a problem. Things that are holding up permits did not exist ten years ago. We need to look to see what does not need to be

done. Regarding the El Dorado Hills office, it was to be a transition for the City office. Having the building office there has been beneficial to builders in the El Dorado Hills office.

Ray Nutting said staff is tasked to adhere to the adopted General Plan. There is a tremendous amount of vagueness that needs to be dealt with.

No action was required.

12. **DEPARTMENT OF TRANSPORTATION** - None

13. **COUNTY COUNSEL'S REPORTS** - None

14. **DIRECTOR'S REPORTS** - None

15. **ADJOURNMENT**

Meeting adjourned at 1:30 p.m.

APPROVED BY THE COMMISSION
Authenticated and Certified:

John Knight, Chair

