



EL DORADO COUNTY PLANNING COMMISSION

Building C Hearing Room
2850 Fairlane Court, Placerville, CA 95667
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Walter Mathews, Chair, District IV
Alan Tolhurst, First Vice-Chair, District V
Lou Rain, Second Vice-Chair, District I
Dave Pratt, District II
Tom Heflin, District III

Char Tim Clerk of the Commission

MINUTES

Regular Meeting May 28, 2009 – 8:30 A.M.

1. CALL TO ORDER

Meeting was called to order at 8:35 a.m. Present: Commissioners Rain, Pratt, Heflin, Mathews, and Tolhurst; Paula Frantz-County Counsel; and Char Tim-Clerk of the Planning Commission.

2. ADOPTION OF AGENDA

Chair Mathews announced that the applicant for item 7.a. had submitted a written request for a continuance, which will be considered later in the agenda.

Motion: Commissioner Tolhurst moved, seconded by Commissioner Pratt, and unanimously carried (5-0), to adopt the agenda as presented.

AYES: Rain, Heflin, Pratt, Tolhurst, Mathews

NOES: None

3. PLEDGE OF ALLEGIANCE

4. CONSENT CALENDAR (All items on the Consent Calendar are to be approved by one motion unless a Commission member requests separate action on a specific item.)

a. **Minutes:** May 14, 2009

END OF CONSENT CALENDAR

Motion: Commissioner Pratt moved, seconded by Commissioner Rain, and unanimously carried (5-0), to approve the Consent Calendar.

AYES: Heflin, Tolhurst, Rain, Pratt, Mathews

NOES: None

5. DEPARTMENTAL REPORTS AND COMMUNICATIONS
(Development Services, Transportation, County Counsel)

Pierre Rivas indicated that there had been no current planning items before the Board of Supervisors since the last Commission meeting, so there was nothing to report out.

Peter Maurer provided a summary of the Board of Supervisor's actions regarding long-range planning:

- On May 18, 2009, the Board adopted a 12-month Interdepartmental Economic Development Action Plan. In addition, they modified the terms and voluntary basis of the Economic Development Advisory Committee.
- A Board workshop on Fire Code and Fire Safe Regulations has been scheduled for July 27, 2009.
- On May 19, 2009, the Board adopted the Resolution of Intention regarding the Camino-Pollock Pines area with the purpose of determining if there should be 2 or 3 rural centers and remove the common community region boundaries without changing the land use.

Mr. Maurer also informed the Commission that the Long-Range Planning group is currently down by two staff members; Shawna Purvines is on a 3-month temporary assignment in the Human Services Department, while Monique Wilbur is currently "on-loan" for a year with the State.

6. COMMISSIONERS' REPORTS

Commissioner Rain commented on a recent event that highlighted the need to have staff provide a better "tie-in" of all projects in a specific area. Peter Maurer responded that projects come in at different times and they are striving to review projects in a team-oriented fashion to identify situations similar to what Commissioner Rain explained. Pierre Rivas agreed that they would look into it more. Commissioner Tolhurst stated that the Commission's job is to protect the environment and the County from bad development, not to save the applicants money.

9:00 A.M.

PUBLIC FORUM/PUBLIC COMMENT

Paul Sayed stated that the number one frustration in the County's public hearing process is that the developers always have the last word. Since the truth is not always spoken in these final statements, the public is helpless against false comments. He suggested that each public member be allotted one minute to rebut comments in the developer's final statement.

County Counsel Paula Frantz stated that the Commission's current practice is in their bylaws and it is a fairly standard process that is practiced throughout the State. She stated that, if desired, the Commission can modify their bylaws to provide an additional public commenting period. County Counsel Frantz also said that the Commission does have the ability to request a member of the public to clarify a comment made by someone else.

Commissioner Tolhurst indicated that instead of a debate, the Commission is interested in facts and many of the comments are emotionally-based.

Commissioner Pratt said that many of these applications are forwarded to the Board of Supervisors, which provide the public another opportunity to provide testimony on a project.

7. REZONE/PLANNED DEVELOPMENT/TENTATIVE MAP

a. **Z08-0001/PD08-0003/TM08-1463/La Canada Subdivision** submitted by DAN and LAURA PARKES (Agent: CTA Engineering and Surveying) to rezone from Estate Residential Five-Acre (RE-5) to Estate Residential Five-Acre-Planned Development (RE-5-PD); Development Plan to allow clustering of lots and a reduction in the minimum parcel size of five acres in the RE-5 zone district and to allow for a density bonus; and a phased tentative subdivision map to create 47 residential lots ranging in size from 1.09 to 4.04 acres and four lettered open space lots (three open space lots and one landscape lot) totaling 63.85 acres. Phase I would encompass Lots 1-3 & 26-46 (24 lots), Phase II would encompass Lots 4-6, 12-25, & 47 (18 lots), and Phase III would encompass Lots 7-11 (5 lots). The property, identified by Assessor's Parcel Numbers 126-100-18 and 110-020-12, consisting of 143 acres, is located on the east side of Salmon Falls Road, approximately three-fourths of a mile north of the intersection with Green Valley Road, in the El Dorado Hills area, Supervisorial District IV. (Mitigated negative declaration prepared)*

Mike Baron stated that the item is being requested for a continuance to July 9, 2009, based on the letter dated May 26, 2009, from the applicant's attorney.

The applicant or agent was not present.

Chair Mathews indicated that he has met with the applicants and based on that he is aware that they want to have conversations on road connectivity and phasing with an approved project in that area and would like to have the issues resolved prior to presenting the project to the Commission.

Bill Welty impressed upon the Commission the need to review the cumulative effects of all the projects in that specific area. He was offended and insulted at the last Commission hearing when it was explained that Alto was not being heard with La Canada because the latter was postponed indefinitely. Yet, as soon as Alto was approved by the Board of Supervisors, the La Canada project was back on the table. Mr. Welty stated that the developers do not want to work together and again stressed the need to review the entire area instead of each individual project. He also indicated that all contact between the developers and neighbors has been initiated by the neighbors and that those meetings contained no substance.

Paul Sayed had issues with the Alto project announcing that La Canada was off indefinitely, but was shortly placed back on. He also said that many residents did not get noticed as they are outside of the notification boundary, but are still interested. Mr. Sayed felt that projects should not be allowed to keep getting continued as members of the public have to take time off work to attend the hearings.

Terri Howe said that she has a problem with the notification process and educating people. The developers have a rapport with the planners and the public has no knowledge on their rights or the process. She stated that the Commission is taking action on things that will affect their area and the County is proceeding with the development of this area for money. Commissioner Rain informed Ms. Howe that he took exception to her comments as he also lives in the surrounding area and he takes serious consideration of all applications.

Gary Dickerson said that even though the County is aware of all of the pending projects in that specific area, they are still piecemealing them.

Cheryl McDougall requested that the continuance have a re-notification.

Commissioner Rain expressed an interest in having neighbors noticed when requests for continuance, etc. are received for projects. The Clerk explained that the County has an electronic subscription service that sends automatic email notifications when selected website information is updated. The Planning Commission website is part of that service. In addition, the Clerk stated that when the continuance request for this project was received on May 26, 2009, it was sent for posting on the website at the same time it was sent to the Commissioners for their notification.

No further discussion was presented.

Motion: Commissioner Tolhurst moved, seconded by Commissioner Heflin, and unanimously carried (5-0), to continue the item to the July 9, 2009, meeting, and to add any additional individuals to the meeting notification list, if requested.

AYES: Rain, Pratt, Heflin, Tolhurst, Mathews
NOES: None

b. **Z07-0033/PD07-0020/TM07-1448/McCann Subdivision** submitted by MICHAEL, ROBYNN, and JOSHUA MCCANN to rezone from Planned Agricultural 20-Acre (PA-20) to One-Family Residential-Planned Development (R1-PD) and Open Space-Planned Development (OS-PD); Development Plan and Tentative Subdivision Map to subdivide parcel into 72 single-family residential parcels ranging in size from 6,002 to 16,809 square feet and one 7.5 acre open space lot; and design waivers have been requested for the following: (a) Allow Lots 17, 18, 20, 21, 48, 50, 51, and 52 to have less than the required lot widths; (b) Allow flag-shaped lots on Lots 17, 18, and 51; and (c) Allow sidewalks to be reduced from six feet to four feet in width. The property, identified by Assessor's Parcel Number 331-420-12, consisting of 24.3 acres, is located approximately 1,600 feet east of the intersection of Truscott Lane and Union Mine Road, in the El Dorado area, Supervisorial District III. (Mitigated negative declaration prepared)*
[continued from 3/12/09 & 4/23/09 meetings]

Tom Dougherty presented the item to the Commission with a recommendation to the Board of Supervisors for approval of the project, but denial of design waivers (a) and (b). He distributed an EID facility improvement letter map and a staff memo dated May 28, 2009, requesting additional language be added to condition #16.e. In addition, staff was requesting modification to condition #13 to change reference of General Services Facilities Department to Development

Services Department. Mr. Dougherty indicated that two letters of concern were received on this project; Mother Lode Union School District and El Dorado Union High School District. Commissioner Pratt inquired on the boundaries of the Zone of Benefit and the traffic impact analysis. Eileen Crawford/DOT responded that the boundaries of the Zone of Benefit were only for this project and that the applicant would pay their fair share for the road improvements and it would be considered a TIM fee contribution. Commissioner Pratt also inquired on the installation of traffic signals and secondary access in regards to Solstice Circle. It was also determined that the Staff Report contained a typo when making reference to Hwy 50 when it should have been Hwy 49.

In response to Commissioner Pratt's announcement that the earlier referenced El Dorado Union High School District letter was not in the agenda packet, staff distributed copies for the Commission's review.

Commissioner Heflin inquired if Koki Lane was also blocked to bikes and pedestrians since it is blocked for vehicle traffic and there is a school nearby. Ms. Crawford responded that sidewalks and bike paths are being provided up to the school area.

Chair Mathews questioned staff on the opening presentation comments regarding open space. It was clarified that those comments were in relation to the recommendation for denial of two design waivers.

Robynn McCann, applicant, spoke in opposition of staff's recommendation for the denial of two of the design waivers. She stated that the requests were not for an increase in density, but as an effort to work within slopes/topography and also have open space. She is asking for the discretion of the Commission to approve the design waivers.

Art Marinaccio stated that the Planned Agriculture zoning for that area had no purpose except that it had been requested by the property owner. He also indicated that it has been a long-range plan for contiguous access for that area.

Larry Patterson, a contiguous owner, stated that the area has been planned for high density for a long time. He also said that the merits of this project are: provides traffic circulation for autos, pedestrians, and bikes; consistent with General Plan land use and policies; out of all the pending projects in the area, is the most stand-alone; and the local economic stimulus of the project is needed in the community.

Commissioner Pratt voiced concerns over the clarity of the Zone of Benefit and would like to see more detail on this issue, particularly regarding Truscott Lane. He also inquired over who owns the open space. Ms. Crawford explained that this was a unique situation in that there is an Offer of Dedication from the school district to the County, which includes the berm. The County will take over the responsibility of the agreements the school district had with other property owners. She also indicated that Truscott Lane would be a public road that was not in the County-maintained system. Significant discussion ensued regarding the Zone of Benefit and the enforcement of regular laws on Truscott Lane.

County Counsel Paula Frantz stated that in regards to condition #16.e, a private entity cannot be required to maintain an area that is owned by the County. A brief recess was requested to seek

comment from Pete Feild, County's Right-of-Way Program Manger, who negotiated the Offer of Dedication. When it was discovered that Mr. Feild was currently on vacation, it was suggested to continue the item since many of the questions centered on his area of expertise.

No further discussion was presented.

Motion: Commissioner Pratt moved, seconded by Commissioner Mathews, and unanimously carried (5-0), to continue the item to the June 25, 2009, meeting and for staff to provide the following: (1) Clarification of Truscott Lane; (2) Clarification on conditions #16.e and #24; and (3) Provide any documentation explaining Zone of Benefit.

AYES: Rain, Heflin, Tolhurst, Pratt, Mathews
NOES: None

10:00 A.M.

8. WORKSHOP

Workshop on the draft versions of the Land Development Manual (LDM), the Highway Design Manual (HDM), and Standard Plans. Discussion on the proposed rewritten and revised *Design and Improvement Standards Manual* (DISM) and a new set of standard plans as required by the 2004 County of El Dorado General Plan Implementation Measures LU-E, TC-C, and TC-U.

Roger Trout presented the workshop to the Commission. He distributed a copy of the upcoming PowerPoint presentation and an Errata Sheet. Mr. Trout summarized the contents of the binder that had been provided for the Commission's review.

Mr. Trout conducted a PowerPoint presentation for the Commission and audience.

Kathye Russell/Gene Thorne & Associates was concerned that there were many things currently underway and that more time would be needed to review these documents.

In response to Commissioner Tolhurst's question, Craig McKibbin stated that the document was being drawn in CADD for public use. He also stated that the documents would be in a continuous updating process with an annual review also occurring. Mr. McKibbin explained that the documents were intentionally placed in a 3-ring binder in order to facilitate the insertion of revised pages.

Mr. Trout expanded on Mr. McKibbin's comments by stating that the documents will be monitored and amended when necessary. In fact, an Amendments page has already been designed and placed in the beginning of the binder just for that purpose.

Andrea Howard/Parker Development Company stated that staff had worked very diligently in the development of this binder and it was appreciated that previous comments had been incorporated into it. However, she questioned the timing of the adoption of this binder. Ms. Howard indicated that she would prefer to wait until after the July Board workshop on fire safe issues and

after the new Zoning Ordinance was adopted. She also commented that the review process was somewhat difficult since not all of the components were complete yet and therefore, more time is needed for review.

Art Marinaccio urged the Commission to read this huge volume of information for content and that before this is adopted, they need to conceptualize how to fix it. He congratulated staff on this Herculean task.

Brandon Ghetia/Stable Development voiced concern over the probability of a phased tentative map project that would have part of it under the old design standards and other parts having to adhere to the new standards.

Mr. Trout addressed the issues brought forth by Ms. Howard and Mr. Ghetia, and emphasized that it was important to get this new document “up and running”. He indicated that although this item is agendaized for formal action at the June 11, 2009, meeting, they are still receiving comments in the next couple of weeks from County Counsel and the public. Any changes will be brought to the Commission at the next meeting for their review and possible action.

Fred Sanford/Environmental Management responded to inquires from Chair Mathews on soil mantle testing and perc testing as identified in the binder.

The Commission encouraged the public to bring forth specific items for discussion at the June 11, 2009, meeting.

No further discussion was presented.

No action taken.

9. ADJOURNMENT

Meeting adjourned at 11:40 a.m.

APPROVED BY THE COMMISSION

Authenticated and Certified:

Walter Mathews, Chair