

FROM THE PLANNING COMMISSION MINUTES OF JULY 23, 2009

8. REZONE/TENTATIVE MAP

Z08-0004/TM08-1466/Blackhawk Estates submitted by BRUCE WIRTANEN (Agent: Patterson Development) to rezone from Exclusive Agricultural District (AE) to Estate Residential Five-Acre District (RE-5) and Estate Residential Ten-Acre District (RE-10); A tentative map creating 9 lots, ranging in size from 5 acres to 11.5 acres for APN 078-200-71; and the following two Design Waiver requests: (a) Allow the creation of parcels with a length in excess of three times the width for Lots 4 and 5; and (b) Reduction in the required 10 foot shoulder to 2 feet as required in Section III(A)(12) of the Design Improvements Standards Manual. The property, identified by Assessor's Parcel Numbers 078-200-70 and -71, consisting of 77.42 acres, is located on the north and south side of Blackhawk Lane, approximately .25 miles east of the intersection with Mt. Aukum (E16), in the Pleasant Valley area, Supervisorial District II. (Mitigated negative declaration prepared)

Aaron Mount presented the item to the Commission with a recommendation of approval to the Board of Supervisors. He stated that staff was requesting the table in Condition #16 be modified to state "20ft/2ft" under the column titled "Road Width*/Shoulder Width".

Bruce Wirtanen, applicant, was available for questions.

Commissioner Pratt inquired if these were flagged lots and staff responded that they were not, but there was a design waiver request included regarding the length to width ratio. He also voiced concern over the split Land Use Designation and the split zoning for Lot 7 as this could be a challenge and would like to have it cleaned up. County Counsel Paula Frantz stated that if Lot 7, which is partially in RR and LDR Land Use Designations, was zoned all RE-10, it would be consistent with both Land Use Designations. If the Commission was interested in this type of action, then she recommended that conceptual action be taken today to recommend approval of this project in order to allow staff to return with exhibits to match this action.

Commissioner Tolhurst stated that the map shows Lot 5 leech lines going over the property line of Lot 6, which is not allowed. Mr. Mount stated that staff would speak to the applicant's agent to confirm that it was only a CADD error. County Counsel Frantz stated that a new map would need to be provided without the error.

No further discussion was presented.

Motion: Commissioner Pratt moved, seconded by Commissioner Heflin, and unanimously carried (5-0), to conceptually recommend the Board of Supervisors take the following actions: (1) Adopt the Mitigated Negative Declaration based on the Initial Study prepared by staff; (2) Adopt the mitigation monitoring program in accordance with CEQA Guidelines, Section 15074(d), as incorporated in the Conditions of Approval and Mitigation Measures presented by staff; (3) Approve Rezone Z08-0004 for APNs 078-200-70 and -71, based on the findings proposed by staff; (4) Approve Tentative Map TM08-1466 for APN

078-200-71, based on the findings proposed by staff, subject to the conditions of approval as modified, to include modification to Condition #16; (5) Approve design waiver requests to: (a) Allow the creation of parcels with a length in excess of three times the width for Lots 4 and 5; and (b) Reduce the required 10 foot shoulder to 2 feet as required in Section III(A)(12) of the Design Improvements Standards Manual; (6) Direct staff to return with revised zoning for Lot 7 with a single zoning and revised exhibits with the changes as directed; and (7) Continue item to the August 27, 2009, meeting.

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