

STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES

August 1

19 79

The Board convened at 10:00 a.m., in an adjourned/continued meeting from the regular meeting of July 31, 1979, to consider the hearings on the proposed amendments to the County General Plan. Present: Supervisors Arliene Todd, William V. D. Johnson, W. P. Walker, Joseph V. Flynn, and Thomas L. Stewart. Also present: Dixie L. Foote, Assistant Board of Supervisors Clerk. Chairman Walker presided.

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Hearing was held as duly advertised to consider an Amendment to the County General Plan in the Pollock Pines area from Multi Family to Commercial, consisting of 0.31 acre, petitioned by Dale A. Hartwick. The Planning Commission recommended approval, and the Planning Director enumerated the following findings of the Commission:

- 57-6
1. Staff recommends approval to the Board of Supervisors;
 2. The proposed General Plan Amendment from R1, Single Family Residential zone to C, Commercial, is supportive of the established policies of the Noise Element;
 3. Adequate services can be provided as follows: Water -- E.I.D.; Sewage Disposal -- septic tanks; and Fire Protection -- Pollock Pines/Camino Fire Protection District.

Mr. James Ingram, Agent, was present and spoke on behalf of Mr. Hartwick.

There were no verbal protests, and the Hearing was closed.

On motion of Supervisor Flynn, seconded by Supervisor Todd, and unanimously carried, the Board concurred with the Planning Commission's findings and recommendation for an amendment to the County General Plan, and accepted the Negative Declaration. (See Minutes for August 2, 1979, Page 334 for Resolution No. 178A-79 amending the County General Plan accordingly.)

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Hearing was held as duly advertised to consider adoption of the Greenstone Area Plan consisting of approximately 5,700 acres. The Planning Commission recommended approval, and the Planning Director enumerated the following findings of the Commission:

- 57-6
1. Minimal Impact: Considering both natural and man-made limits, the Plan seeks to pattern land use so as to minimally impact the natural environment, agricultural activities, and public services. (Refer to page iv);
 2. Man-Made Restraints: The Land Use Goals and Development Policies formulated by the Greenstone Citizens Advisory Committee provides policymakers with criteria in which to establish specific land uses, they provide a statement as to the type of community the residents wish to live in, they provide a statement as to the desired environmental setting residents wish to perpetuate. For Use Goals and Development Policies, see page 4 - 6;

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3. Continuing Review & Mitigating Measures: Potential Environmental Impacts and mitigating measures are discussed on pages 46 - 63. The mitigating measures proposed will be utilized in evaluating successive projects to insure that potential environmental effects are minimized;
4. Population Projections: The proposed Plan establishes a population holding capacity of 5,800 while the existing Plan provides a population holding capacity of 70,000. A substantial population reduction is then realized;
5. Community Goals: Public testimony given concerning the Greenstone Plan and Environmental Impact Report reflects the desired community goals;
6. Cumulative Impacts are Non-Significant: That the cumulative impact projected on page 54 is considered not to be significant when taking into account the 54 year buildout period for the Plan Area. The cumulative impact from 1978 to 1985 (approximate life expectancy of the Plan) estimates a population increase of 173 persons or an increase of 51 housing units. A yearly increase of 8.5 housing units per year and a population increase of approximately 29 persons per year is not considered to create significant cumulative effect for the Plan Area.

Mrs. Ruth Loeffelbein, representing the Environmental Planning and Information Council of Western El Dorado County, Inc. (E.P.I.C.), presented a letter to the Board which was read into the record. The letter stated E.P.I.C.'s opposition to the Supplemental Environmental Impact Report (E.I.R.) and the Greenstone Area Plan. Mrs. Loeffelbein stated that this letter, along with a letter from Peter Melnicoe dated May 1, 1979, represented some of the inadequacies of the E.I.R. When asked for the specific objections to the E.I.R., Mrs. Loeffelbein stated they were too numerous to go into at this time, but they were addressed in Mr. Melnicoe's letter. Mrs. Loeffelbein expressed E.P.I.C.'s specific objection to the concept of comparing the 1969 Area Plan to the proposed amendment because it is not the purpose of the California Environmental Quality Act (C.E.Q.A.) to compare these two items, but to evaluate the physical impact on the environment as a result of the project.

At the request of the Chairman, Mr. Bob Laurie of County Counsel's Office, and Mr. Jake Raper of the Planning Department responded to Mrs. Loeffelbein's comments. Regarding whether the E.I.R. spoke to the projects that may result if the plan is adopted, Mr. Raper stated that if the project is based solely on population reduction, it would have been more appropriate to do a Negative Declaration rather than an E.I.R. The E.I.R. speaks to activities which are likely to occur if the plan is adopted. The impacts identified within the E.I.R. and mitigation measures proposed are areas identified that speak to activities yet to come.

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Mr. Raper also stated that staff responded to Mr. Melnicoe's letter of May 1, 1979, and that response is dated May 30, 1979. Copies of each are attached to the E.I.R. and Mr. Raper stated that staff's response sufficiently responds to all concerns identified. Mr. Raper also indicated that the Summary of Environmental Impact Review shows that even though the original Environmental Impact Report indicates significant impacts "may occur", the mitigation measures and the plan and the E.I.R. are sufficient to reduce the cumulative impacts to a degree of non-significance. This is supported by the last page of the Summary of Environmental Impact Review dated August 1, 1979. Mr. Raper reiterated that mitigation measures and the plan itself are sufficient documentation to represent that cumulative impacts are non-significant.

There were no further verbal protests, and the Hearing was closed.

On motion of Supervisor Todd, seconded by Supervisor Flynn, and unanimously carried, the Board declared its intent to certify that the Supplemental and Draft E.I.R. was prepared in compliance with the provisions of C.E.Q.A. and local ordinances; and adopt the Greenstone Area Plan based on the following findings:

1. That the Greenstone Area Plan is consistent with all elements of the General Plan; and
2. Changes or alterations have been incorporated into the project which mitigate or avoid the significant environmental effects thereof as indicated in the E.I.R., specifically those listed in the Greenstone Environmental Summary as well as those measures stated in the policies as outlined on pages 4 through 6 of the plan.

(See Minutes for August 2, 1979, Page 334 for Resolution No. 178A-79 amending the County General Plan accordingly.)

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Hearing was held as duly advertised to consider adoption of the Camino/Fruitridge Area Plan, consisting of approximately 22,000 acres, The Planning Commission recommended approval, and the Planning Director enumerated the following findings of the Commission:

- 57-6
1. We adopt the further findings that there are mitigation measures included in the Area Plan and E.I.R. which avoid or reduce the significant environmental effects which are identified in the E.I.R.;
 2. There are specific social reasons, specifically that the Area Plan evolved through citizen advisory committee efforts and the hearing process which is considered to be a general statement of the area's future development, which make project alternatives infeasible;

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3. Further, recognizing there are cumulative effects identified in the Supplemental E.I.R. which cannot be mitigated, this Commission finds the Plan nevertheless is desirable as it takes into account the social desires of the area as presented on pages 10 through 14 of the text to the Plan and further supported by public testimony.

Mrs. Ruth Loeffelbein, representing the Environmental Planning and Information Council of Western El Dorado County, Inc. (E.P.I.C.), presented a letter to the Board in opposition to the Plan. E.P.I.C.'s primary objection is the loss of agricultural land.

Mr. Dick Bush also spoke in opposition to the Plan stating the Environmental Impact Report (E.I.R.) is defective, and objecting to the concept of comparing the 1969 Area Plan to the proposed amendment because it is not the purpose of the California Environmental Quality Act (C.E.Q.A.) to compare these two items, but to evaluate the physical impact on the environment as a result of the project. Mr. Bush also stated that the reclassification of 3,200 acres from Conservation to Rural Residential would create significant impact. He also objected to the increase in commercial areas from eight, to fifteen, along with the increase of residential potential population.

In response to the concerns of Mrs. Loeffelbein and Mr. Bush, Mr. Jake Raper of the Planning Department stated that if the project was based solely on population reduction, it would have been more appropriate to do a Negative Declaration rather than an E.I.R. The E.I.R. speaks to activities which are likely to occur if the Plan is adopted. The impacts identified within the E.I.R. and mitigation measures proposed are areas identified that speak to activities yet to come. Mr. Raper also stated that the reclassification of 3,200 acres would not increase the potential population. Both land use designations provide for a ten acre minimum and allow single family residential activity by rights. The increase of commercial land use designation from eight to fifteen was an effort by the Board to recognize those existing commercial activities and properties zoned commercial. The increase of multi-family residential land use designations was an effort to recognize existing mobile-home parks within the Plan area.

Mr. John Neider stated that he presently has an application in the Planning Department for a three-acre designation on his 38 acres on top of Mt. Danaher, and questioned if the General Plan Designation to accommodate his requested rezoning could be approved by the Board at this time. The Board acknowledged the special circumstances in Mr. Neider's case, however, directed him to proceed with his application which would probably bring him back before the Board in November when it again will hear requests for Amendments to the County General Plan.

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Supervisor Johnson noted for the record that he owns 15 acres in the Plan area at 2234 Cable Road.

Supervisor Flynn noted for the record that he owns property in the Plan area at 3122 Serano Court in the Camino Heights Subdivision, and is president of a non-profit corporation that owns 40 acres in the Camino Heights area.

The following persons were present and spoke in favor of the Plan as proposed: Keith Brunius, Douglas Shepherd, Wayne Ritz, and Lee Wilson.

There being no further comments from the audience, the Hearing was closed.

On motion of Supervisor Flynn, seconded by Supervisor Todd, and unanimously carried, the Board stated its intent to adopt the Camino/Fruitridge Area Plan, and approve the E.I.R. and Supplemental E.I.R. and certify same as having been prepared pursuant to the provisions of C.E.Q.A. and local ordinances, and enumerated the following findings:

1. The Camino/Fruitridge Area Plan is consistent with all elements of the General Plan;
2. Changes or alterations have been incorporated in the project which mitigate or avoid the significant environmental effects thereof as identified in the E.I.R., specifically those listed on the Camino/Fruitridge Environmental Summary as well as those policies contained in the Plan; and
3. There may be cumulative impacts resulting from an increase in population within certain areas of the Plan which may not be capable of being wholly mitigated. In this regard there are nevertheless economic and social concerns which require that the project be approved; specifically, when balancing the benefits of this project which reduces total population potential in the area and provides for a reasonable but limited growth rate as desired by the majority of the community against potential unmitigated impacts which may result from the long-term cumulative effects of increased housing, this Board determines that it is in the best interest of the community to approve the project having mitigated the environmental damage to the greatest extent possible.

(See Minutes for August 2, 1979, Page 334 for Resolution No. 178A-79 amending the County General Plan accordingly.)

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NEW BUSINESS

296-4
Pioneer
Trail
On motion of Supervisor Stewart, seconded by Supervisor Johnson, and unanimously carried, the Board directed that the matter of improvements on Pioneer Trail, including left turn channelizations, be agendized for August 7, 1979.

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(322-1)
423
Meadow
Lake
Subdivision
#1
421
On motion of Supervisor Johnson, seconded by Supervisor Flynn, and unanimously carried, the Board took the following action relating to the application of C. P. National Corporation for a gas line encroachment in Meadow Lake Subdivision: (1) Consented to the transfer of the franchise from South Tahoe Gas Company to C. P. National Corporation; and (2) Directed the Director of Public Works to expedite the issuance of the encroachment permit, according to the rules and regulations governing encroachment permits, to C. P. National Corporation so these gas lines can be installed prior to the October 1, 1979 deadline of non-disturbance of land.

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There being no further business to be conducted this date, the meeting was continued to Thursday, August 2, 1979, at 10:00 a.m. to consider additional requests for Amendments to the County General Plan.

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APPROVED:

W. P. Walker
W. P. WALKER, Chairman

ATTEST:
DOLORES BREDESON, County Clerk
and ex officio Clerk of the Board

By Dijie L. Foote
Deputy Clerk