

STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES August 12, 1980

The Board convened in regular meeting. Present: Supervisors N. Arliene Todd, William V. D. Johnson, W. P. Walker, Joseph V. Flynn, and Thomas L. Stewart. Ann R. Macy, Board of Supervisors Clerk was also present. Chairman Todd presided.

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12-7 The Invocation was offered by Reverend Dick Cain, First Christian Church.

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The Pledge of Allegiance to the Flag was led by Supervisor W. P. Walker.

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The Agenda was adopted on motion of Supervisor Walker, seconded by Supervisor Johnson, and unanimously carried.

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The Minutes of August 5, 1980, were approved as submitted, on motion of Supervisor Flynn, seconded by Supervisor Stewart, and carried by the following vote: Ayes: Supervisors Johnson, Walker, Flynn, and Stewart; Abstain: Supervisor Todd.

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On motion of Supervisor Walker, seconded by Supervisor Johnson, and unanimously carried, the Consent Calendar matters were considered and acted upon as follows:

50-1 The Community Action Council Claims were approved and allowed for payment.

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298A The Board approved Assessment Roll Changes numbered: 1042 and 1043.

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151-12 RESOLUTION NO. 236-80 was adopted Authorizing an Action for the Recovery of County Funds Paid Out.

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247 The Chairman was authorized to execute Release of Lien discharging all property encumbered by the Agreement to Reimburse the County for Public Assistance in the name of Gertrude Gladwill, and recorded in the Official Records of El Dorado County in Volume 678, at Page 425.

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21-10 The Chairman was authorized to sign a one-year Lease with Stateline Emergency/Outpatient Services, for advertising space at the Lake Tahoe Airport at a cost of \$600.00 per year, as requested by the Airports Department.

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423 At the request of the Public Works Department, the Board approved the request for reduction of Subdivision Improvement Letter of Credit for Franciscan Village Subdivision in the amount of \$37,950.13.

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At the request of the Health Department, the Chairman was authorized to sign an Agreement with Jehovah Shammah for residential care and treatment services to patients referred by the Mental Health Department at a cost of \$20.00 per patient per day (\$5,000 - maximum).

22-7
Dir 15-80

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At the recommendation of the County Surveyor, the Chairman was authorized to sign a Certificate of Acceptance of Easement Deed for lands owned by Amphora Development Corporation for subdivision street and public utility purposes in Char Mar Estates Unit No. 1 Subdivision, with no funds involved. (Char Mar Estates now known as Viewpointe Subdivision)

423
Viewpointe Subdiv

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Pursuant to Senate Concurrent Resolution No. 68, the Board adopted RESOLUTION NO. 238-80 declaring October 7, 1980, as National Guard Day, in honor of those who serve as members of said organization.

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The Board approved the request of Diamond Springs-El Dorado Fire Protection District to close North Alley in Diamond Springs on Sunday, August 31, 1980, between 7:00 a.m. and 5:00 p.m., for the Eighth Annual Bazaar Days, and RESOLUTION NO. 239-80 was adopted accordingly.

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The Board acknowledged receipt of and placed on file, Notice of Non-Renewal for Agricultural Preserve No. 222, consisting of 51.76 acres, submitted by Mrs. Mary Cannon.

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222

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At the recommendation of the County Administrative Office, on motion of Supervisor Stewart, seconded by Supervisor Flynn, and unanimously carried, RESOLUTION OF INTENTION NO. 237-80 was adopted, to approve an Amendment to the Contract with the Board of Administration of the Public Employees' Retirement System, and directing said Office to make legal notice to comply with State law.

12-3

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At the request of the Public Works Department, on motion of Supervisor Stewart, seconded by Supervisor Johnson, and unanimously carried, the Chairman was authorized to sign a Change Order to the Agreement with Shingle Springs Heating & Air Conditioning for heating and venting modifications to the County Animal Shelter at South Lake Tahoe, at a cost of \$1,450.00.

22-6

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On motion of Supervisor Flynn, seconded by Supervisor Johnson, and unanimously carried, the Board declared their intent to go on record regarding the Memorandum received from Senator Garamendi pertaining to the Bi-State Compact Negotiations, that the Senator be advised that in any future negotiations, local representatives should be included in order that local entities may have some voice in the proceedings.

70

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12-14
On motion of Supervisor Walker, seconded by Supervisor Johnson, and unanimously carried, the following Policy Review Sessions were set: On the matter of Rent Mediation - September 3, 1980, at 9:00 a.m.; and on the matter of a proposed Ordinance to require fencing of swimming pool areas - September 3, 1980, at 10:00 a.m.

On motion of Supervisor Walker, seconded by Supervisor Flynn, and unanimously carried, a Policy Review Session was set for September 15, 1980, at 2:00 p.m. regarding Assessment District Financing .

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On motion of Supervisor Flynn, seconded by Supervisor Stewart, and carried by the following vote: Ayes: Supervisors Johnson, Walker, Stewart, and Todd; No: Supervisor Walker, the Chairman was authorized to sign an Agreement with Ralph Andersen & Associates to recruit a County Chief Administrative Officer, with the provision that those El Dorado County applicants be referred to them with the request that they be considered and rated in the final selection.

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At the recommendation of the Health Department, on motion of Supervisor Stewart, seconded by Supervisor Walker, and carried by the following vote: Ayes: Supervisors Walker, Flynn, and Stewart; Noes: Supervisors Johnson and Todd, the Board adopted RESOLUTION NO. 240-80 establishing a \$15.00 administrative fee for the Health Screening Program.

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22-1
At the recommendation of the Health Department, on motion of Supervisor Stewart, seconded by Supervisor Johnson, and unanimously carried, the Board approved the Child Health & Disability Prevention Program Plan for Fiscal Year 1980-81, in the amount of \$102,328.00; said Plan to provide for early and periodic health assessments for children enrolling in first grade and anyone under 21 years of age who is eligible for Medi-Cal.

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30-7
At the request of Community Programs, on motion of Supervisor Johnson, seconded by Supervisor Stewart, and unanimously carried, the Chairman was authorized to sign Revised Budget for submittal to the State Department of Aging, for the Senior Nutrition Program indicating current estimated expenditures as opposed to beginning figures, and directed that the surplus of \$8,841.00 be allocated to the proposed Senior Nutrition Program at South Lake Tahoe: RESOLUTION NO. 241-80 was adopted accordingly.

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5-16
At the request of the Area Agency on Aging Director, on motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried, the Chairman was authorized to sign the Revised Budget in the amount of \$202,891.00, to be submitted to the State Department of Aging.

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7-18-80
On motion of Supervisor Walker, seconded by Supervisor Flynn, and unanimously carried, the Board approved the request of Attorney Daryl J. McKinstry that Ordinance Code Section 9450(h) which requires a hearing within 30 days of filing an Appeal, be waived; and the Appeal of Loren L. and Helen B. Smith on the Planning Commission's denial of a Special Use Permit was set for September 23, 1980.

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Mr. Donald H. Brown, President of the Sawtell Pipeline Association, submitted a letter requesting that the Public Works Department be authorized to repair holes and taper the road in the 41 Milestone Tract, Highway 50, Eldorado National Forest.

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101
On motion of Supervisor Stewart, seconded by Supervisor Flynn, and unanimously carried, the Board referred the request to the Public Works Department for discussion with the U. S. Forest Service, and request Public Works to consider the possibilities of these roads being transferred back to the Forest Service, and to contact California Department of Transportation to see that the matter of the shoulder that was created on the highway during the overlay which does not allow for a smooth connection between the encroachment and the highway, is taken care of.

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Homeowners of the Latrobe Hills Estates submitted a letter requesting the following due to problems with trespassers: Extend the No Parking signs one mile from the Cosumnes River Bridge; Continued support from the Sheriff's Department; and Support from the Justice Court.

Linda Brown; Jim Brown; Bruce Bartleson; Sheriff Pacileo; and Captain Ringstorff of California Highway Patrol, were present and further elaborated on the problem.

On motion of Supervisor Flynn, seconded by Supervisor Johnson, and unanimously carried, the matter was referred to County Counsel for preparation of an Amendment to the Ordinance that would extend the No Parking area one mile from the Cosumnes River Bridge.

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The Ordinance regulating recreational use of rivers and streams within El Dorado County was again considered for introduction. (Originally introduced May 20, 1980)

45
Mr. Bill Center of the American River Rafting Association, and member of the Advisory Committee, was present and stated he had questions pertaining to Section 9103.2 (5), (6), and (7) i.e. the necessity to carry two toilets and two containers is impractical; he is concerned with the interpretation for the provision of chemical toilets; and finally, that a Management Plan may be developed which does not have adequate powers of enforcement.

Mr. Bob Harvey, riparian land owner, was present and stated he felt Section 9102(b) should be changed to delete the last six words of the last sentence "for a fee or other consideration", and replace them with the words, "for a fee or any other reason". Mr. Harvey also stated that the ordinance still needs to refer to the days and hours that the rivers and streams may not be used. Further, that State Parks should not be allowed as a headquarters for the rafting companies simply by purchasing a picnic permit. He suggested that County solicit some indication from the State as to their cooperation with the County in this regard.

Sheri Hillenga read from a letter to the Board (which was filed with the Clerk) pertaining to placing limitations on the numbers using the South Fork of the American River due to problems with trespassing and harassment of the private property owners along the River, and also requesting that the Board budget for increased law enforcement.

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Merl Derden was present and suggested that Section 9111 "Time to Apply" should have some provision for the organizations who have a permit one year, to receive favorable consideration for the following year. He also stated that the private user of the river should be addressed in the ordinance.

Mrs. Jean Sterten stated that the ordinance needed an outline of "Standards for Approval". Ken Milam, Planning Director, responded that "standards" are yet to be set forth in some future ordinance, or River Management Plan.

On motion of Supervisor Flynn, seconded by Supervisor Johnson, and unanimously carried, the redrafted ordinance dated August 4, 1980, was introduced, including the following minor changes, and set for adoption on August 19, 1980, at 3:30 p.m.:

Section 9102. Applicability; Subparagraph (b) shall read: any person or business entity which owns, leases or otherwise has the use of real property adjoining the streams and rivers of this county named pursuant to subdivision (c) of this section and who or which allow such property to be used for ingress and egress into and from such rivers, or for other day or camping use, on a regular basis. (The words, "for a fee or other consideration" were deleted from the end of this sentence.)

Section 9103.2. River Use Plans for River Use. Subparagraph 5 shall read: A plan for parking facilities and transportation from the point of egress to the point of ingress for users covered by the permit. Said plan shall include at least two (2) spaces per flotation device of less than five (5) persons capacity and at least three (3) spaces per flotation device of five (5) or more capacity, unless an alternative has been approved by the Planning Department. (The words underscored are additions.)

Subparagraph 6 shall read: A plan for sanitation facilities of adequate capacity for users and the method of proposed waste of disposal, as acceptable by the Director of Environmental Health Department. (Underscores are additions)

Section 9107. Revocation of Permit. Shall read: Any river use permit granted under Section 9103.1 or special use permit granted under Section 9104 of this ordinance may be revoked or amended if the body issuing the permit finds, following due notice and public hearing that there has been a violation of provision of this ordinance or any conditions of the permit. (Underscored replaces, "Board of Supervisors, for a river use permit or the Planning Commission for a special use permit," . .)

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At the recommendation of the Planning Director, on motion of Supervisor Stewart, seconded by Supervisor Stewart, and unanimously carried, the Board authorized the hiring of James A. Roberts, PHD, Natural Resource Planner, as a consultant to develop an Interim River Management Plan to be adopted prior to January 1981.

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Hearing was held as duly noticed on Assessment Roll Change No. 2364, as requested by Mr. George H. Franklin of the Manzanita Room (Fairgrounds).

272A
Ester Armstrong, El Dorado County Fair Manager, stated that if the County is going to apply the possessory interest to one of her lessees, then it must be applied to all lessees; the issue being, whether the lessee or the lessor pays the possessory interest. Mr. George Franklin stated that the room he leases sat vacant for many years, and now that it is earning money for the County, he is being charged, or taxed. Later in the hearing, he did state that he was aware that it was stated in the Lease that he must pay possessory interest, but he really didn't know what it meant.

Continued

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291A
Mrs. Nancy Weddle of the Montessori School was present, so the Board opened the hearing on her Assessment Roll Change No. 2363, inasmuch as the same principle applied in her case. Mrs. Weddle leases a portion of the County Library building in Shingle Springs. Mrs. Weddle also objected to having to pay possessory interest on her leased portion of the building.

There being no further discussion, the Hearings were closed.

On motion of Supervisor Stewart, seconded by Supervisor Flynn, and carried by the following vote: Ayes: Supervisors Johnson, Flynn, and Stewart; Noes: Supervisors Walker and Todd, the Board upheld the Assessor in both cases.

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4123
Gold Strike Subdivision
Planning Director submitted the Tentative Map and the Environmental Impact Report for Gold Strike Subdivision in the Camino and Pleasant Valley areas, consisting of 196 acres, comprising 22 lots; Subdivider: Leonard A. Miller. Planning Commission recommended approval, and the Planning Director enumerated the following findings of the Commission:

1. The density proposed is in compliance with the County's adopted General Plan;
2. Services are available to serve the project;
3. The property is suitable for the proposed density.

Attorney Daryl McKinstry representing Mr. Miller requested that the Board approve an Addendum to Condition No. which would provide for other adjoining property owners to share in the cost of maintenance of Red Dog Drive. County Counsel advised that the condition would not come up until the map is well finalized, and there would be no means of enforcing the condition. (Said conditions reads as follows: "The proposed street through Lot #1 shall be extended to the western property line to provide access to adjacent properties.")

Attorney Karen Guthrie representing J. Curtis Taylor who owns 40 acres west of the proposed subdivision, and adjoining the subdivision, stated that for at least 22 years Mr. Taylor and other property owners had a prescriptive right-of-way through the subdivision to reach their properties. This road was also used by El Dorado Irrigation District personnel and the U. S. Forest Service. She stated that she understood that the Planning Department advised Mr. Miller that since that easement was going to be closed off by the subdivision, that Red Dog Drive be extended to the Taylor and Horbath properties. Therefore, she would not agree with the proposal presented by Mr. McKinstry. She also requested some sort of condition that would guarantee access until Red Dog Drive is developed.

County Counsel advised that the County should not enter into any problems with neighboring property owners. Therefore, he suggested that the words, "to provide access to adjacent properties" be stricken from Condition No. 21.

The Planning Director stated he had no problems with the deletion. Attorney McKinstry also assented to the deletion.

On motion of Supervisor Flynn, seconded by Supervisor Johnson, and unanimously carried, the Tentative Map was approved subject to the conditions proposed by the Planning Commission, with the exception of Condition 21 which shall read as follows: "The proposed street through Lot #1, shall be extended to the western property line.", and the Environmental Impact Report was certified based upon the findings of the Planning Commission as hereinabove enumerated.

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285-44-80
370-9m
Hearing was held as duly advertised to consider the rezoning of lands in the Camino and Pleasant Valley Areas from Agricultural and Estate Residential Ten Acre Zones to Estate Residential Five Acre Zone, consisting of 196 acres, petitioned by Leonard A. Miller for Gold Strike Subdivision. Planning Commission recommended approval, and the Planning Director enumerated the following findings of the Commission:

1. The rezoning complies with the County's adopted General Paln;
2. Adquate services are available to serve the project;
3. The property is suitable for this density development.

There were no protests, and the Hearing was closed.

On motion of Supervisor Flynn, seconded by Supervisor Johnson, and unanimously carried, the Board moved to certify the Environmental Impact Report, it concurred with the Planning Commission's findings hereinabove listed, and the rezoning was approved and adopted by ORDINANCE NO. 3013, said rezoning to become effective upon the filing of the Final Map.

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285-50-80
Hearing was held as duly advertised to consider the rezoning of lands in the Cool Area from Estate Residential Five Acre Zone to Residential Agricultural Forty Acre Zone, consisting of 38 acres, initiated by the El Dorado County Planning Commission for KAHI Towers. Planning Commission recommended approval, and the Planning Director stated the finding as follows: (1) The rezoning of the site to RA-40, Residential Agricultural, Forty-Acre Zone, is a follow-up action on Special Use Permit S79-101.

John Schivley, Chairman, Cool/Pilot Hill Advisory Committee, was present and stated that the Committee feels that this is spot zoning for Commercial use of the land, and that the Committee has fought very hard against this. He stated the Committee requested that the Board, at a minimum, would delay any action on this until the adoption of the Cool/Pilot Hill Area Land Use Plan.

Harold Slatt, resident of Pilot Hill objected to the towers as a visual impact on a very scenic part of the community which could be visible for five to seven miles.

Ken Cunningham, General Manager for KAHI, stated there were hills in the area and it could not be seen for those distances. He also stated this was one of three places where the towers could be relocated in order to effect their proposed 24-hour service to the neighboring communities.

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

After considerable discussion, on motion of Supervisor Flynn, seconded by Supervisor Walker, and carried by the following vote: Ayes: Supervisors Walker, Flynn, Stewart, and Todd; No: Supervisor Johnson, the Board moved to delay action on this rezoning until the Area Land Use Plan for the Cool/Pilot Hill area is before the Board.

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On motion of Supervisor Stewart, seconded by Supervisor Flynn, and unanimously carried, the following rezoning hearings were continued to September 2, 1980, upon the advice of the Planning Director who apprised the Board that because of a clerical error of the Planning Department personnel, incorrect information had been supplied to the Board Clerk's Office, and consequently had been advertised incorrectly on the rezoning requests:

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Request for rezoning of lands in the Somerset/Fairplay/Mt. Aukum Area from Unclassified Zone to Single Family Three-Acre Residential Zone, consisting of 60 acres, initiated by the El Dorado County Planning Commission for Grizzly Park Estates; and

Request for rezoning of lands in the Somerset/Fairplay/Mt. Aukum Area from Agricultural Zone to Estate Residential Five Acre Zone, consisting of 10.102 acres, petitioned by Franklin C. Latcham.

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Hearing was held as duly noticed to consider the request of Mr. Daniel H. Russell for cancellation of Agricultural Preserve No. 122, consisting of 883.08 acres in the El Dorado Hills area. The Agricultural Commission and the Planning Commission both recommended denial.

Attorney Jean Klotz was present on behalf of Mr. Russell and explained to the Board that when Mr. Russell entered into the Williamson Act Contract he simply did not see the build-out of subdivisions around his lands. She stated that when the build-out did commence it was at a very accelerated rate.

Mr. Russell was present and advised the Board his reason for requesting cancellation of his Ag Preserve was simply that he was no longer able to control his property; that neighborhood children had set fire to his grassland; fences were constantly being cut and his cattle would get out; motorbikes ran many head of cattle to death; his cattle had been shot ---; all of this he explained was due to the encroachment of subdivisions on three sides of his property.

There were no protestants, and the Hearing was closed.

A lengthy discussion ensued over the alternative use of the land. Mrs. Klotz stated that her client, Mr. Russell, would be willing to submit a draft Environmental Impact Report to the Board which would contain raw material that the Board would need in making a decision. She indicated that this land would eventually be put into a Planned Development Zone usage by Mr. Russell.

The Planning Director advised that the Board shouldn't take a position until they have a complete, Final E.I.R., or decide to go to a Negative Declaration.

Finally, since the Board could not establish findings on which to allow the cancellation of the Preserve, they, on motion of Supervisor Flynn, seconded by Supervisor Johnson, and unanimously carried, took the matter off calendar and continued it to a date uncertain.

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Hearing was held as duly noticed to consider the request of Archie and Ethel Lawyer and Ethel Tidd for cancellation of a portion of Agricultural Preserve No. 190, consisting of 1,000 acres, in the Pilot Hill-Cool area. The Agricultural Commission and the Planning Commission both recommended denial of this request.

Attorney Gorman Silen was present representing the applicants. He stated that the economics of cattle grazing have changed, and it is absolutely not a paying proposition. He therefore, requested that the matter be sent back to the Planning Commission for an Environmental Impact Report or a Negative Declaration, and then allow the applicants to come back before the Board again and present the necessary economic evidence required by the fourth provision of the Code.

Continued

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In response to a question from the Board, the Planning Director advised that sending the matter back to the Planning Commission would give the indication that the Board may be looking favorably toward a cancellation of this Preserve, and that he did not feel the Board could possibly make any decision unless they had an Environmental Impact Report before them, and an E.I.R. can be extremely expensive.

Following another lengthy discussion, on motion of Supervisor Flynn, seconded by Supervisor Johnson, and unanimously carried, the matter was removed from the calendar, to be brought back at the option of the applicant.

On motion of Supervisor Flynn, seconded by Supervisor Johnson, and unanimously carried, the Board directed the Agricultural Commission to look into and report back to the Board in two to four months, their indication as to what is the future of the cattle raising business in relation to those lands now devoted to that use.

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Prior to the Board's consideration of the rezoning, the Tentative Map and the Environmental Impact Report for the Greenstone Country Subdivision, Supervisor Johnson read into the record a letter received from Pat Stroth stating that she had been informed that the meeting today had been postponed. Further, she stated that she spoke for many who were opposed to the development for many reasons: Sewage; School financial problems; and Water Supply. County Counsel advised that adequate notice had been given on the rezoning, but that he had learned from an attorney (Pete Melnicoe) that a recent court ruling indicated in some instances that notice should be given on Tentative Maps when they tend to be controversial. Therefore, the developer, not wishing to prolong this hearing scheduled for this date, took it upon himself to send wires to all those persons living within 500 feet of the proposed subdivision; this was done with the concurrence of County Counsel.

The Board proceeded with the Hearings.

Jake Raper of the Planning Staff stated that the Environmental Impact Report which had been submitted to the Board, for Greenstone Country Subdivision, is complete in accordance with the requirements of the California Environmental Quality Act.

The Chairman opened the Hearing for consideration of the rezoning, the Tentative Map, and the Environmental Impact Report, for the proposed Greenstone Country Subdivision in the Greenstone, Gold Hill, and Rescue areas consisting of 2,265 acres, comprising 441 lots, open space areas, and a school site; Subdivider: DiGiorgio Development Corporation; the rezoning to be from Estate Residential Five-Acre, Estate Residential Ten-Acre, and Agricultural Zones to Planned Unit Development Zone. The Planning Commission recommended approval of Zoning Amendment and Zoning Deviations.

Aside from the letter received from Pat Stroth (mentioned above), the Board also received one letter from Richard and Kathy Cramer opposing the rezoning because of the effect on the educational system; increased traffic; and effect on wildlife.

Another letter was received from Robert L. Beegle, Jr., President, El Dorado Irrigation District Board of Directors requesting that the Board of Supervisors require the developer of Greenstone Country to obtain full approval from the Central Valley Regional Water Quality Control Board for waste disposal designs and areas, before approving any tentative map. Continued

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A response to Mr. Beegle's letter was received from Jack Sweeney, Caldorado Lan-Pac, Engineers for Greenstone Country Subdivision, wherein he stated the specific concern appeared to be the contamination of the streams which are contributory to the "Indian Creek Reservoir", and that as engineers for Greenstone Country, his organization feels certain that the installation of a spetic system on the project will not contaminate the runoff surface water or any subterranean water to the detriment of the proposed reservoir.

Another letter from Brian L. Cooper, Junior Engineer, El Dorado Irrigation District, was received stating that the proposed subdivision is eligible for water service subject to specific conditions given for the preliminary map. (See E.I.D. letter dated March 24, 1980)

Those present and opposed to the subdivision were:

Myrna Bill, who submitted the letter from Pat Stroth (See Pg. 340 -4th para.), said she lived near the BOB Ranch and their family was concerned with the rezoning of the lands in the Greenstone area, and she wanted to know where the picnic benches would be put. Mrs. Bill was assured that the picnic areas were some distance from her property.

Dennis Berry was present and stated he lived near Green Vallev Road. He stated that a new connecting road has been cut across his property which is being used by a number of people (this is an easement which is now being used because the subdivision has cut off another road that these people were using). Because of this new road, he has lost his privacy, and asked the corporation to build a fence along this road easement in order that he may once again enjoy some degree of privacy.

County Counsel later advised that Mr. Berry and representatives of the Subdivision would look into the matter.

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

On motion of Supervisor Johnson, seconded by Supervisor Flynn, and unanimously carried, the Board approved and certified the Environmental Impact Report as complete according to the requirements of the California Environmental Impact Report (C.E.Q.A.) Also, included in the Environmental Impact Report is the letter submitted by Richard and Kathy Cramer, and Board directed that a written response be included in the Final Environmental Impact Report. Also included, is the letter dated July 25, 1980, from Robert L. Beegle, Jr., President, El Dorado Irrigation District Board of Directors (hereinbefore mentioned on Pg. 340, last para., and Pg. 341, 1st para.), together with the response from Cadorado Lan Pac.

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On motion of Supervisor Johnson, seconded by Supervisor Flynn, and unanimously carried, the Board approved the Planned Development Zone and adopted the proposed Development Plan as the Official Development Plan, as presented. The number of lots shall not exceed 441 building sites and the uses shall be for residential and recreational activities for the homeowners; the Board accepted the development rights for all open spaces, as identified on the Open Space Areas Map. In addition, Lot J shall be offered at no cost to the Rescue Union School District; and the Board approved the Deviations to Standard Zoning Requirements (1) To allow a density transfer on the overall project site allowing parcels of a minimum size of three acres; (2) To allow less than the 150 foot width at the front lot and setback lines for Lots 368 and 441; (3) To allow the creation of a non-conforming use of Lot 348 containing the historical B.O.B. Ranch House, plus two existing residences; and the rezoning was approved based on the following findings:

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1. The Planned Development Zone request is consistent with the Land Use Designations, Goals and Policies of the 1969 General Plan, Rescue, Greenstone and Gold Hill Area Plans;
2. The project is designed to provide a desirable environment within its own boundaries;
3. The deviations to the standard zoning requirements are justified by the topography, provisions for open space and historical significance of the B.O.B. Ranch House;
4. The project site is physically able to support the residential and recreational uses;
5. Public water, fire protection, adequate roads, utilities and schools are available;
6. Ther residential uses do not significantly detract from the aesthetics of the area as open space and buffers are being provided;
7. In light of the fact that there have been determined to be environmental impacts in the E.I.R., changes or alterations have been required in the project which mitigate or void the significant environmental effects. Those changes appear in those conditions of the project. This finding is made pursuant to Section 21081(a) of the Public Resources Code;
8. As to the spetic systems and the requirements of the Water Quality Control Board, the E.I.R. indicates that significant environmental effects to water quality may result. In that light, a finding is made pursuant to Section 21081(b) of the Resources Code, Section 15088a(2) of the C.E.Q.A. guidelines, and, Section 15089 of the C.E.Q.A. Guidelines, as follows:
 - (a) The California Regioanl Water Quality Control Board - Central Valley Region - has the responsibility and authority to approve the septic system designs for subdivisions containing 100 lots or more. (Guidelines for Waste Disposal from Land Developments);
 - (b) The California Regional Water Quality Control Board - Cental Valley Region - has the authority to make such changes in the septic system designs or alter the septic system designs to insure that water quality is maintained; and,
 - (c) Further, that the mitigation measures identified in the Final E.I.R., Pages B-1, 2, 3, and 4 Sewer (Septic Systems), support the State's authority over the septic system design; and

the Board found that the zoning was consistent with the General Plan, and ORDINANCE NO. 3014 was adopted accordingly.

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On motion of Supervisor Johnson, seconded by Supervisor Flynn, and unanimously carried, the Board directed that the Design Waivers in Unit 1 and 3 of the Tentative Map be added to Units 2 and 3, and the remainder to remain intact, and the Board approved the Tentative Map and the Design Waivers for Greenstone Country Subdivision subject to the conditions imposed by the Planning Commission based on the following findings:

- 423
Greenstone
Country
Subdivision
1. The Tentative Map is consistent with the Land Use Goals and Development Policies of the County General Plan, Rescue, Greenstone and Gold Hill Area Plans;
 2. The design of the project, along with the design waivers, is physically suited to the property;
 3. Adequate services are available to serve the project;
 4. Changes or alterations have been required in the Project which mitigate or void the significant environmental effects as identified in the completed EIR; those changes or alterations appearing in the conditions to the Project. This finding is made pursuant to Sections 21081(a) of the Public Resource Code, and 15088(a)(1) of the C.E.Q.A. Guidelines;
 5. Since the septic system design has not been accepted by the Water Quality Control Board, significant environmental effects to water quality may result which have not as yet been mitigated; therefore, pursuant to Section 21081(b) of the Public Resources Code; Section 15088(a)(2) and 15089(b) of the C.E.Q.A. Guidelines, this Board finds:

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BOARD OF SUPERVISORS MINUTES

August 12, 1980

1. The California Regional Water Quality Control Board - Central Valley Region - has the responsibility and authority to approve the septic system designs for subdivisions containing 100 lots or more. (Guidelines for Waste Disposal from Land Developments);
2. The California Regional Water Quality Control Board - Central Valley Region - has the authority to make such changes in septic system designs or alter the septic system designs to insure that water quality is maintained; and
3. Further, that the mitigation measures identified in the Final E.I.R., Pages B-1, 2, 3, and 4 Sewer (Septic Systems), support the State's authority over the septic system design.

GENERAL ORDERS

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421-1
On motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried, the Board moved for reconsideration of the request of Ezio Baldassarre for a variance to County Ordinance requirements to allow a 17% grade for his driveway, instead of the 10% grade as shown on his encroachment permit for Lot 177, Riviera Circle, St. Andrews Village Unit No.4, in El Dorado Hills, and set the matter for 10:00 a.m. on August 19, 1980.

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61-2
Hearing was held as duly noticed to consider placement of a \$50.00 assessment on all parcels of property in the boundaries of County Service Area No. 2 for road maintenance for the 1980-81 Fiscal Year. There were no protests and the hearing was closed.

(H.O.)
On motion of Supervisor Johnson, seconded by Supervisor Flynn, and unanimously carried, the Board approved the \$50.00 assessment, as requested.

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61-2
County Service Area No. 2, Hidden Lakes Estates Area, submitted for appointment the following nominees to serve on Zone B Advisory Board for the 1980-81 Fiscal Year: Barbara Osucha, Gary Beauchamp, Thomas Menefee, Earnest Rhode (alternate), and Warren Radekin (alternate).

On motion of Supervisor Flynn, seconded by Supervisor Johnson, and unanimously carried, the Board approved the nominees and their alternates, as submitted, and RESOLUTION NO. 242-80 was adopted accordingly.

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435
The Board reconsidered their action of June 10, 1980, wherein the Chairman was authorized to sign an Agreement with Douglas Caldwell, to accept the cul-de-sac identified as Industrial Drive (Diamond Springs Industrial Park), into the County-Maintained Road System upon completion of same in compliance with County standards, with three changes in specifications for said Road as recommended by Public Works. (Reconsideration approved 8/5/80)

On motion of Supervisor Stewart, seconded by Supervisor Walker, and unanimously carried, the Board approved the proposal as presented to meet the County's present standards, and the Chairman was authorized to sign an Amendment to the Agreement.

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421-1
Mr. and Mrs. Clarence Varpahl submitted a letter requesting a variance to County Ordinance to allow a sight distance of 175 feet, instead of 300 feet as shown on their Encroachment Permit on Grizzly Flat Road in Grizzly Flats. On motion of Supervisor Stewart, seconded by Supervisor Johnson, and unanimously carried, the variance was granted subject to applicant removing a mound of earth and two pine trees as discussed, to improve the sight distance.

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STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES

August 12,

1980

(94)
94-3
El Dorado County Resource Conservation District submitted High Sierra Resource Conservation and Development Area Council's request that a Resolution be adopted supporting said Council's preparation of a non-regulatory handbook entitled "Soil Erosion and Sediment Control Practices for Developing Areas in the Foothills and Mountains of California".

On motion of Supervisor Flynn, seconded by Supervisor Johnson, and unanimously carried, the Board approved the request, and RESOLUTION NO. 243-80 was adopted accordingly.

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132
On motion of Supervisor Stewart, seconded by Supervisor Johnson, and unanimously carried, the Board approved the request of Michael Sphar for an extension to September 30, 1980, for inspection on the initial phase of his construction for Lot 61, Rubicon Properties at South Lake Tahoe. (Building Department recommended approval).

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132
On motion of Supervisor Stewart, seconded by Supervisor Flynn, and unanimously carried, the Board approved the request of Donald Drotman for a transfer of sewer permit from Parcel A of Parcel Map 4-111 to Lot 41, Montgomery Estates No. 7 (Parcel No. 80-153-11), pursuant to the provisions of County Ordinance No. 2082, adopted by the Board on April 22, 1980, as recommended by the Building Department.

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132
At the recommendation of the Building Department, on motion of Supervisor Stewart, seconded by Supervisor Johnson, and unanimously carried, the Board approved the request of Jon N. Robbins for a transfer of a sewer permit from Lot 28, Montgomery Estates No. 4 (Parcel No. 25-745-01) to Lot 47, Southgate Subdivision No. 2 (Parcel No. 36-431-08), pursuant to the provisions of County Ordinance No. 2082, adopted by Board on April 22, 1980. (Continued from 8/5/80)

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There being no further business, the Board adjourned to Tuesday, August 19, 1980, at 10:00 a.m.

ATTEST:

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

By: Ann L. Macy
Board of Supervisors Clerk

APPROVED:

N. Arliene Todd
N. Arliene Todd, Chairman