

STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES November 24 19 80

The Board convened in a continued meeting from November 18, 1980, to consider requests for amendments to the County General Plan. Present: Supervisors Arliene Todd, William V. D. Johnson, W. P. "Dub" Walker, Joseph V. Flynn, and Thomas L. Stewart. Also present, Dixie L. Foote, Assistant Board of Supervisors Clerk. Chairman Todd presided.

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57-6
Hearing was held as duly advertised to consider an Amendment to the County General Plan in the Cameron Park area to add the following Policy: "That portion of Assessor's Parcel No. 83-400-08, General Planned and Zoned as Industrial Planned Development, consisting of 34 acres, and located in the Cameron Park area, shall be developed by a Planned Unit Development Only"; said addition initiated by the El Dorado County Planning Commission on lands owned by Harry DeWolf and O.I. Scariot. The Planning Director advised that this amendment will control the development of this parcel as required by the Planning Commission and Board of Supervisors with the approval of the DeWolf/Scariot Industrial Rezoning.

Mr. Jerry Culver, representing Mr. DeWolf and Mr. Scariot, was present to answer any questions the Board may have, and stated they do concur with the recommended policy amendment.

There were no written or verbal protests, and the hearing was closed.

On motion of Supervisor Stewart, seconded by Supervisor Flynn, and unanimously carried, the Board declared its intent to adopt the findings and recommendations of the Planning Commission and approve this Amendment to the County General Plan; and accepted the Negative Declaration. (See Minutes for November 25, 1980, for Resolution No. 337-80 amending the County General Plan accordingly.)

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57-6
Hearing was held as duly advertised to consider an Amendment to the County General Plan in the El Dorado Hills area from High Density Residential (1 - 5 dwelling units per acre) to Multi Family, consisting of 79.53 acres, initiated by the El Dorado County Planning Commission on lands owned by Frank Martinez and Jack Rice.

Mr. Ken Milam, Planning Director, explained that Planning staff became aware of the fact that the present zoning and use of the property for a mobilehome park does not conform with the present General Plan designation for the area, therefore it recommended the amendment to the General Plan. The Planning Commission recommended that the portion of Assessor's Parcel No. 66-030-20 south of White Rock Road remain in the High Density, Single-Family Residential General Plan Designation, and that the portion of this same parcel north of White Rock Road remain in the Commercial General Plan Designation. This property is owned by Mr. Rice. The Planning Commission further recommended that Mr. Martinez's property, Assessor's Parcels Nos. 66-030-13 and -21, be General Planned Multi Family Designation to conform with the existing mobilehome park on said property, based on the following findings:

1. The property is currently zoned MP, Mobilehome Park;
2. The project site is within the El Dorado Hills Fire Protection District;
3. The project site can be supplied with public water and sewer service from the El Dorado Irrigation District.

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Mr. Williams, of J.W. Consulting Engineers, was present and spoke on behalf of Mr. Jack Rice. Mr. Rice was also present and spoke, stating he desired the Multi Family General Plan Designation on his property south of White Rock Road also, so the mobilehome park use could be expanded to his property from Mr. Martinez's property. If the Board concurred with the Planning Commission, and General Planned his property South of White Rock Road for High Density Single-Family Residential, said property would have to be down-zoned to conform with that designation, and Mr. Rice is opposed to that. Mr. Rice concurred with the Planning Commission recommendation that his property north of White Rock Road remain in the Commercial General Plan Designation.

There were no written or verbal protests, and the hearing was closed.

On motion of Supervisor Stewart, seconded by Supervisor Flynn, and unanimously carried, the Board did not concur with the Planning Commission's findings, and declared its intent to change the General Plan Designation for the portion of Assessor's Parcel No. 66-030-20 south of White Rock Road from High Density Single-Family Residential to Multi Family, and the portion of same parcel north of White Rock Road to remain in Commercial General Plan Designation; and accepted the Negative Declaration. (See Minutes for November 25, 1980, for Resolution No. 337-80 amending the County General Plan accordingly.)

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Hearing was held as duly advertised to consider an Amendment to the County General Plan in the Georgetown area from Low Density Residential Five Acre to Medium Density Residential 1 - 4.9 acre, consisting of 10.56 acres, initiated by the El Dorado County Planning Commission on lands owned by Gary Cabodi. The Planning Director enumerated the following findings of the Commission:

- 57-6
1. There are two-acre parcels in the vicinity;
 2. There was a field trip taken by the Planning Commission to verify the conditions on this property;
 3. There is piped water on the property;
 4. This property is not on a serpentine belt but adjacent to this belt;
 5. This zoning would not be detrimental to the surrounding property owners.

Mr. Leslie Roediger, father-in-law of the owner, was present to state they concur with the proposed amendment.

There were no written or verbal protests, and the hearing was closed.

On motion of Supervisor Flynn, seconded by Supervisor Johnson, and unanimously carried, the Board declared its intent to adopt the findings of the Planning Commission and approve this Amendment to the County General Plan; and accepted the Negative Declaration. (See Minutes for November 25, 1980, for Resolution No. 337-80 amending the County General Plan accordingly.)

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Hearing was held to consider rezoning of lands in the Georgetown area from Estate Residential Five Acre Zone to Single Family Two Acre Residential Zone, consisting of 10.56 acres, initiated by the El Dorado County Planning Commission on lands owned by Gary Cabodi. The Planning Director enumerated the following findings of the Commission:

- 285-89-80
390-92
1. There are two-acre parcels in the vicinity;

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2. There was a field trip taken by the Planning Commission to verify the conditions on this property;
3. There is piped water on the property;
4. This property is not on a serpentine belt, but adjacent to this belt;
5. This zoning would not be detrimental to surrounding property owners.

The Planning Director and Mr. Roediger had no additional comments.

There were no written or verbal protests, and the hearing was closed.

On motion of Supervisor Flynn, seconded by Supervisor Stewart, and unanimously carried, the Board concurred in the Planning Commission's findings; accepted the Negative Declaration; and the rezoning was approved, to become effective on the effective date of the aforementioned General Plan Amendment, and ORDINANCE NO. 3069 was adopted accordingly.

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Hearing was held as duly advertised to consider an Amendment to the County General Plan in the Georgetown area from Rural Residential 10 - 160 Acres, to Low Density Residential Five Acre, consisting of 30.62 acres, initiated by the Planning Commission on lands owned by Lee S. Van Wegen, Joseph McElroy, and Chuck T. Bell. The Planning Director enumerated the following findings of the Commission:

- 57-6
1. As this property was previously zoned for two acres, the applicants went to the expense of running a pipe line down to and under the highway and tapped into a 10" main;
 2. Access to the three properties is adjacent to State Highway 193;
 3. This zoning would not be detrimental to the adjacent properties.

Mr. Joseph McElroy was present to speak to the matter. Mr. McElroy advised that the Board of Supervisors adopted Ordinance No. 1723 on December 7, 1976, which rezoned his 42.69 acres in Georgetown from Unclassified to Two Acre Residential, and he feels that zoning should remain on his property. Mr. McElroy does not feel his zoning should have changed due to the adoption of the Georgetown Area Land Use Plan and Zoning Map which were adopted on December 5, 1979, and May 13, 1980, respectively. However, as a result of the aforementioned actions of the Board, Mr. McElroy's land is General Planned Low Density Residential Five-Acre, and zoned Estate Residential Ten-Acre. At this time the Planning Commission is recommending the land be zoned Estate Residential Five-Acre to conform with the General Plan Designation. Mr. McElroy is opposed to the 5-acre zoning; he feels he should be able to retain the 2-acre zoning.

Mr. Ken Milam, Planning Director, pointed out that the Planning Commission's memorandum to the Board of Supervisors, dated August 11, 1980, wherein it states this property in question is General Planned Rural Residential, 10 - 160 acres, is in error. The property is currently designated Low Density Residential, Five-Acre, therefore the designation need not be amended as requested. However, if the Board wishes to allow R2A, Residential Two-Acre zoning on the property, the General Plan Designation must be amended from Low Density Residential, Five-Acre, to Single Family Residential Medium Density, 1 - 4.9 acres, to facilitate said rezoning.

Mr. Van Wegen was also present and stated he too feels the 2-acre zoning should remain on that portion of his land which was so zoned in 1976, which consists of five acres; the other ten acres was not rezoned as he has a mobilehome on that parcel under a Special Use Permit.

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Mr. Don Johnson, who resides on property just south of Mr. Van Wegen's property, was present and spoke in opposition to the request of Messrs. McElroy and Van Wegen for 2-acre zoning. Mr. Johnson stated he did not receive notice of the hearings when the property was zoned Two Acre Residential in 1976, and he feels that was "spot" zoning which reflects no planning on the part of the County. Mr. Johnson stated that the slopes on the property in question causes drainage problems on his property. Mr. Johnson stated that his main concern, and objection to this request, is the eventual loss of the rural atmosphere which is what he moved up here to enjoy.

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

On motion of Supervisor Flynn, seconded by Supervisor Walker, and carried by the following vote: Ayes: Supervisors Johnson, Walker, Flynn, and Todd; No: Supervisor Stewart, the Board declared its intent to amend the General Plan Designation of the following parcels: Portion of APN 60-120-53 (Van Wegen); APN 60-120-67 (McElroy); and APN 60-120-68 (Bell), from Low Density Residential, Five-Acre, to Single Family Residential Medium Density 1 - 4.9 acres, in conformance with the action of the Board on December 7, 1976; and accepted the Negative Declaration. (See the Minutes for November 25, 1980, for Resolution No. 337-80 amending the County General Plan accordingly.

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Hearing was held as duly advertised to consider the rezoning of lands in the Georgetown area from Estate Residential Ten Acre Zone to Estate Residential Five Acre Zone, consisting of 30.62 acres, initiated by the El Dorado County Planning Commission on lands owned by Lee S. VanWegen, Joseph McElroy, and Chuck T. Bell. The Planning Director enumerated the following findings of the Planning Commission:

- 285-911-31
390-70w
1. The applicants went to the expense of running a pipe line down to and under the highway and tapped into a 10" main;
 2. Access to the three properties is adjacent to State Highway 193;
 3. This zoning would not be detrimental to the adjacent properties. There were no verbal protests, and the hearing was closed.

Mr. Milam, Planning Director, again discussed the matter of Mr. Van Wegen's mobilehome on ten acres of his property, under a Special Use Permit.

After being asked by Supervisor Flynn, Mr. Van Wegen concurred with Supervisor Flynn's proposal to rezone the 10 acres upon which a mobilehome is placed, Estate Residential 5-Acre; and only rezone to R2A, the five remaining acres. However, before this can be done, Mr. Van Wegen must provide the County with a legal description of the five acres which is to be rezoned.

On motion of Supervisor Flynn, seconded by Supervisor Walker, and carried by the following vote: Ayes: Supervisors Johnson, Walker, Flynn, and Todd; No: Supervisor Stewart, the Board approved rezoning of that property owned by McElroy (APN 60-120-67) and Bell (APN 60-120-68) to R2A, Two-Acre Residential Zone, to become effective on the effective date of the required General Plan Amendment, and ORDINANCE NO. 3070 was adopted accordingly; and Mr. Van Wegen's requested rezoning of five acres to R2A, Two-Acre Residential Zone, and ten acres to RE-5, Estate Residential Five-Acre Zone, was continued off calendar until Mr. Van Wegen provides a legal description of the five acres to be rezoned R2A.

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The Board recessed for lunch, and returned for the afternoon session with Supervisor Johnson absent.

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57-6
Hearing was held as duly advertised to consider an Amendment to the County General Plan in the Somerset/Fairplay/Mt. Aukum area from Rural Estate Agricultural (1 dwelling unit/5 - 20 acres) to Open Space and Conservation, consisting of 41 acres, petitioned by Francis C. Lindsay on behalf of Professional Security Service. The Planning Commission recommended approval, and the Planning Director enumerated the following findings of the Commission:

1. The establishment of the project site in the Open Space and Conservation Land Use Designation will provide a method of establishing a Mineral Resource Zone for the property;
2. The project site is considered to have significant amounts of minerals located on the site.

Mr. Lee Miller, lease holder, was present and spoke on behalf of Mr. Lindsay.

There were no written or verbal protests, and the hearing was closed.

On motion of Supervisor Walker, seconded by Supervisor Flynn, and unanimously carried by those present, the Board declared its intent to adopt the findings of the Planning Commission and approve this Amendment to the County General Plan; and accepted the Negative Declaration. (See Minutes for November 25, 1980, for Resolution No. 337-80 amending the County General Plan accordingly.)

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355-91-80
390-9a
Hearing was held as duly advertised to consider rezoning of lands in the Somerset/Fairplay/Mt. Aukum area from Unclassified Zone to Mineral Resources Zone, consisting of 41 acres, petitioned by Francis C. Lindsay on behalf of Professional Security Service. The Planning Commission recommended approval, and the Planning Director enumerated the following findings of the Commission:

1. The request is in compliance with the General Plan;
2. The County of El Dorado supports the protection and utilization of local mineral resources.

Planning staff and the applicant had no further comments; there were no written or verbal protests; and the hearing was closed.

On motion of Supervisor Walker, seconded by Supervisor Flynn, and unanimously carried by those present, the Board concurred in the Planning Commission's findings; accepted the Negative Declaration; and the rezoning was approved, to become effective on the effective date of the aforementioned General Plan Amendment, and ORDINANCE NO. 3071 was adopted accordingly.

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57-6
Hearing was held as duly advertised to consider an Amendment to the County General Plan in the Diamond Springs/El Dorado area from Single Family Medium Density Residential to Single Family High Density Residential, consisting of 4.635 acres, petitioned by the El Dorado County Planning Commission on lands owned by Anton L. Meyer, et al. The Planning Commission recommended approval, and the Planning Director enumerated the following findings of the Commission:

1. Assessor's Parcel Nos. 97-01-30, -31 and -32 are currently less than one acre in size and a change in the General Plan Designation and Zoning would not create additional land development;

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2. Assessor's Parcel Nos. 97-01-33 and -34 have one or more acres and could be divided into two parcels each;
3. Services appear to be available from E.I.D., but proof will be required prior to any subdivision.

Mrs. Juanita Meyer was present and spoke to the request, stating she and her family are very much in favor of the amendment.

There were no written or verbal protests, and the hearing was closed.

On motion of Supervisor Walker, seconded by Supervisor Flynn, and unani- mously carried by those present, the Board declared its intent to adopt the findings of the Planning Commission and approve this Amendment to the County General Plan; and accepted the Negative Declaration. (See Minutes for November 25, 1980, for Resolution No. 337-80 amending the County General Plan accordingly.)

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Hearing was held as duly advertised to consider rezoning of lands in the Diamond Springs/El Dorado area from Unclassified Zone to One-Half Acre Residential Zone, consisting of 4.635 acres, petitioned by the El Dorado County Planning Commission on lands owned by Anton L. Meyer, et al. The Planning Commission recommended approval, and the Planning Director enumerated the following findings of the Commission:

- 28549-80
290-90
1. Assessor's Parcel Nos. 97-01-30, -31 and -32 are currently less than one acre in size and a change in the General Plan Designation and Zoning would not create additional land development;
 2. Assessor's Parcel Nos. 97-01-33 and -34 have one or more acres and could be divided into two parcels each-
 3. Services appear to be available from E.I.D., but proof will be required prior to any subdivision.

Planning staff and Mrs. Meyer had no further comments; there were no written or verbal protests; and the hearing was closed.

On motion o Supervisor Walker, seconded by Supervisor Flynn, and unani- mously carried by those present, the Board concurred in the Planning Commission's findings; accepted the Negative Declaration; and the rezoning was approved, to become effective on the effective date of the aforemen- tioned General Plan Amendment, and ORDINANCE NO. 3072 was adopted accord- ingly.

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57-6
Hearing was held as duly advertised to consider an Amendment to the County General Plan in the Gold Hill area from Exclusive Agricultural and Rural Agricultural Five-Acre to Medium Density Residential, consist- ing of 80 acres, petitioned by Charles R. Curtiss. The Planning Commis- sion recommended denial, based on the finding that the proposed high density development is inconsistent with adjacent agricultural properties.

The applicant was not present.

Mr. Butcher was present and advised the Board that the current zoning of the property in question is RA-10, Rural Agricultural Ten-Acre, not RA-5, Rural Agricultural Five-Acre, as stated in the Planning Commission's memo to the Board and the Board of Supervisors' agenda for today's meeting. Mr. Doug Noble, Assistant Planning Director, advised the Board that Mr. Butcher is correct, and an error was made. Mr. Buther further stated his opposition to the requested amendment.

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Mr. Robert Lee, who resides on property east of the property in question, was present and stated he is strongly opposed to the requested amendment.

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

On motion of Supervisor Stewart, seconded by Supervisor Walker, and unanimously carried by those present, the Board concurred in the findings of the Planning Commission, and denied the request.

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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 High Density Residential (5 - 20 Units/Acre) to Commercial, consisting of 0.25 acre, petitioned by Doo Fong and Yet Hou Jue. The Planning Commission recommended denial, and the Planning Director enumerated the following findings of the Commission:

- 57-6
1. The General Plan Amendment from High Density Residential to Commercial would be out of character when compared to the current surrounding zonings of RT, Tourist Residential, RM, Multi-Family and R1, One-Family Residential Zones;
 2. The rezoning from RM to C, does not comply with the Land Use Designation of the General Plan.

The applicant was not present.

Mr. David Williamson and Mr. Tom Lind, residents of the area, were present and voice their opposition to the request, citing concerns of increased traffic at an already dangerous intersection and increased noise. Mr. Williamson submitted petitions signed by 23 residents who are opposed to the request.

Mr. Martin Jeffries, a resident of the area, agreed that this will increase the traffic and create a great deal more noise; however, he too has an application in the Planning Department for rezoning of property in this area to Commercial, and requested clarification on the County's feeling about this. He stated that, if the Planning Department is totally opposed to this kind of "spot zoning", then it should not waste everyone's time, and the applicant's money, by accepting the application. Mr. Noble of the Planning Department explained that the Pony Express Trail area in Pollock Pines is changing rapidly; that there is already a lot of "spot zoning" in the area; and each piece of property must be dealt with separately - piece by piece.

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

On motion of Supervisor Flynn, seconded by Supervisor Walker, and unanimously carried by those present, the Board concurred in the Planning Commission's findings, and denied the request.

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Hearing was held as duly advertised to consider rezoning of lands in the Pollock Pines area from Unlimited Multi-Family Residential Zone to Commercial Zone, consisting of 0.25 acre, petitioned by Doo Fong and Yet Hou Jue. The Planning Commission recommended denial, and the Planning Director enumerated the following findings of the Commission:

1. The General Plan Amendment from High Density Residential to Commercial would be out of character when compared to the current surrounding zonings of TR, Tourist Residential, RM, Multi-Family and R1, One-Family Residential Zones;
2. The rezoning from RM to C, does not comply with the Land Use Designation of the General Plan.

The applicant was not present.

The Planning staff and persons present who spoke to the General Plan Amendment request had no further comments, and the hearing was closed.

On motion of Supervisor Flynn, seconded by Supervisor Walker, and unanimously carried by those present, the Board concurred in the Planning Commission's findings, and denied the request.

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Hearing was held as duly advertised to consider an Amendment to the Policies of the Georgetown Area Land Use Plan pertaining to sewage disposals in multi-family residential areas. The Planning Commission recommended approval of said amendment, whereby Policy "E" will read as follows: "The multi-family areas shall not be rezoned or developed for that use until public water is provided to the site, the method of sewage disposal is approved by the Division of Environmental Health and access of adequate capacity has been provided. The Division of Environmental Health may require appropriate tests for soil drainage and reservation of replacement area for on-site disposal."

Mr. Joseph Padjune, owner of Buckeye Lake Mobile Manor, was present and spoke in favor of the amendment, as he hopes to expand his mobilehome park, but knows the sewer will never reach that area.

Mrs. Theresa Lengyel, resident of the area, spoke in opposition to the amendment, stating particular concern about water quality. She stated there is a serious problem in the Buckeye area with water pollution from expanded sewage systems.

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

On motion of Supervisor Flynn, seconded by Supervisor Stewart, and unanimously carried by those present, the Board concurred in the recommendation of the Planning Commission, and approved the Amendment to the Policies of the Georgetown Area Land Use Plan as requested. (See Minutes for November 25, 1980, for Resolution No. 337-80 amending the County General Plan accordingly.)

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There being no further business to come before the Board this date, the Board adjourned to Tuesday, November 25, 1980, at 10:00 a.m.

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APPROVED:


N. ARLIENE TODD, Chairman

ATTEST:

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

By 
Deputy Clerk