

STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES

March 31

19 81

The Board convened in regular meeting. Present: Supervisors Robert E. Dorr, Patricia R. Lowe, W. P. "Dub" Walker, Joseph V. Flynn, and Thomas L. Stewart. Dixie L. Foote, Assistant Board of Supervisors Clerk, was also present. Chairman Flynn presided.

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The Invocation was offered by Reverend Larry George, Foothills United Methodist Church.

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The Pledge of Allegiance to the Flag was led by Supervisor Patricia R. Lowe.

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On motion of Supervisor Stewart, seconded by Supervisor Lowe, and unanimously carried, the Board directed a letter be sent to Ronald Reagan, President of the United States, expressing concern for his health and wishing him a rapid recovery, and expressing concern for the others injured on Monday, March 30, 1981, during the attempted assassination of the President.

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

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The Minutes of March 23 and 24, 1981, were approved as submitted, on motion of Supervisor Walker, seconded by Supervisor Lowe, and unanimously carried.

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At the request of the El Dorado County Board of Realtors, Inc., and on motion of Supervisor Stewart, seconded by Supervisor Dorr, and unanimously carried, the Board proclaimed April 19 - 25, 1981, as "Private Property Week", with the theme "Your Private Property Rights. . . Know and Protect Them".

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

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

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The Chairman was authorized to execute Releases of Lien, discharging all property encumbered by the Agreements to Reimburse the County for Public Assistance, as recorded in the Official Records of El Dorado County as follows:

Name	Volume	Page
Debby Jennings	1958	611
Clay R. Hendrickson	1309	538
Joan C. Avila	1028	729
Joan C. Avila	1182	685
Joan C. Avila	1300	432
Joan C. Avila	1300	435
Joan C. Avila	1322	25
Joan C. Avila	1427	494
Nancy I. Cotton	1351	721

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RESOLUTION NO. 78-81 was adopted Authorizing an Action for the Recovery of County Funds Paid Out for Western Slope Ambulance (County Service Area No. 7); Public Defender; Health Department, Lake Tahoe Ambulance; and Welfare Department.

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21-2-81
At the request of the Airports Department, the Chairman was authorized to sign a one-year Lease with Southern California Advertising Agency, on behalf of Tahoe Sands Vagabond Hotel, for advertising space at the Lake Tahoe Airport, at a cost of \$1,320.00 per year.

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20
At the request of the Airports Department, the Chairman was authorized to sign Amendment No. 1 to the Agreement with the United States Department of Agriculture, Soil Conservation Service, for the Placerville Airport Critical Area Treatment Project, increasing the County's 20% share to \$15,336.00. (County share to be funded by the State)

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423
At the recommendation of the Planning Commission, the Board approved a one-year extension of the Tentative Map for Bela Vista Estates Subdivision in the Pollock Pines area, consisting of 38.8 acres, comprising 12 lots; Subdivider: Nelson Gomes.

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423
At the recommendation of the Planning Commission, the Board approved a six-month extension of the Tentative Map for Woodpecker Acres Subdivision in the Grizzly Flat area, consisting of 343.54 acres, comprising 33 lots; Subdivider: D.I. and V.M. Cobb.

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298
At the request of the Assessor, the Board rescinded its action of March 10, 1981, whereby the penalty for failure to file a Change in Ownership Statement of Mr. Scott Cook, et al, (APN 23-131-19) was not abated; and Board abated said penalty.

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113
(124)
The Board approved the request of the Chief Administrative Officer for an additional two weeks to prepare his report and recommendation on the Public Works Department's Road Fund shortfall, and the matter was continued to April 14, 1981.

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114-7
At the recommendation of the Purchasing Agent, Bid No. 175, mechanical drive shelving for the Sheriff's Records Division, was awarded to Access Systems Company (Alternative No. 3) of Lafayette, in the amount of \$4,675.00, plus tax.

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117
Budget Transfer No. 74 was approved, on motion of Supervisor Stewart, seconded by Supervisor Walker, and unanimously carried, advancing \$80,000 from the County Treasury to Airport Enterprise until money is received from the federal government for a rescue vehicle.

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214
The Probation Department's request for approval of a Grant Renewal Application, in the amount of \$45,997.00, for the Victim/Witness Assistance Program, to be submitted to the State Office of Criminal Justice Planning, was continued to April 7, 1981, on motion of Supervisor Stewart, seconded by Supervisor Dorr, and unanimously carried, and the Chief Probation Officer requested to be present at that time to answer questions of the Board.

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23
(74-117)
At the request of the City of South Lake Tahoe, and on motion of Supervisor Dorr, seconded by Supervisor Stewart, and unanimously carried, the Chairman was authorized to sign an Agreement with the City of South Lake Tahoe for the development of a plan for arts programming for the Eastern Slope and a potential review mechanism for local art grants programs, at a cost not to exceed \$4,800.00.

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123-3
The adoption of a Resolution to provide tax revenues to the El Dorado Hills Community Services District, for annexation of lands (Shadow Hills) to said District where no public services have previously been provided, was continued to April 7, 1981, so the Resolution can be retyped to correct errors in the wording of same, on motion of Supervisor Dorr, seconded by Supervisor Stewart, and unanimously carried.

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2-4-4
On motion of Supervisor Stewart, seconded by Supervisor Lowe, and unanimously carried, the Board set April 30, 1981, at 2:30 p.m., to meet with Mr. Bill Morgan, South Lake Tahoe Forest Supervisor, at South Lake Tahoe.

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(111-1)
(12-14)
At the suggestion of Mr. Robert Lusk, Eldorado National Forest Supervisor, the Board set May 6, 1981 for a tour of the Forest Service seed extractory facilities located at the Placerville Nursery, and a brief update of the U.S. Forest Service Land Management Plan, on motion of Supervisor Lowe, seconded by Supervisor Dorr, and unanimously carried.

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432-4
(326)
On motion of Supervisor Walker, seconded by Supervisor Dorr, and unanimously carried, the Board expressed its support of Assembly Bill 388 (Ivers), relating to Workers' Compensation reform, and directed that a letter stating same be sent to the Assembly Finance, Insurance and Commerce Committee, as well as our legislators.

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326
RESOLUTION NO. 80-81 was adopted, on motion of Supervisor Lowe, seconded by Supervisor Stewart, and carried by the following vote: Ayes: Supervisors Lowe, Walker, Stewart, and Flynn; No: Supervisor Dorr, urging the California Legislature to place the Lake Tahoe Bond Act before the California voters at the earliest possible time.

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At the request of the Airports Department, and on motion of Supervisor Walker, seconded by Supervisor Dorr, and unanimously carried, the Chairman was authorized to sign Amendments to Airport Use Agreements with the following:

- 21-6
21-6
a. Cal Sierra Airlines, changing said Airline's leased space in the Lake Tahoe Airport to 340 square feet;
b. Golden Gate Airlines, changing said Airline's leased space in the Lake Tahoe Airport to 248 square feet.

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The Airports Department requested the Chairman be authorized to sign the following:

- 31-8
- a. Assignment of Lease from Walt Nelson to John and George Medina for rental of the Sky Room Restaurant and Bar at the Lake Tahoe Airport;
 - b. Five-Year Lease with John and George Medina for rental of said Restaurant and Bar;
 - c. Letter to be sent to the Alcoholic Beverage Control Board, requesting current Sky Room Liquor License be transferred to the Medinas.

On motion of Supervisor Stewart, seconded by Supervisor Walker, and unanimously carried, the Chairman was authorized to sign the aforementioned Assignment of Lease from Walt Nelson to John and George Medina, and the letter to the Alcoholic Beverage Control Board requesting transfer of the Sky Room Liquor License to the Medinas.

On motion of Supervisor Walker, seconded by Supervisor Lowe, and unanimously carried, the Chairman was authorized to sign the Five-Year Lease with John and George Medina for rental of the Sky Room Restaurant and Bar, subject to a credit check of the Medinas and an adjustment of the insurance coverage if deemed necessary by the County Risk Manager, i.e., the Chairman will not sign said Lease until he has the following:

(1) Assurance from the County Risk Manager that he is satisfied with the liability and fire insurance; and (2) Credit Report on the Medinas from a recognized Credit Bureau.

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Hearing was held to consider adoption of a Resolution, authorizing and empowering the Sheriff to remove man-made and unnatural obstructions blocking the natural connection of North Lane and Meeks Bay Avenue, Rubicon Properties.

174-14
Sheriff Richard Pacileo was present and spoke to the need for removal of the obstructions to provide access for emergency vehicles.

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

On motion of Supervisor Dorr, seconded by Supervisor Lowe, and unanimously carried, RESOLUTION NO. 82-81 was adopted, authorizing and empowering the Sheriff to remove man-made and unnatural obstructions blocking the natural connection of North Lane and Meeks Bay Avenue, Rubicon Properties.

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22-7
The Health Department requested the Chairman be authorized to sign a one-year Lease with MORE and Company for rental of premises located at 6243 Pleasant Valley Road, El Dorado, for relocation of the Mental Health Program's Psychiatric Health Facility, at a total cost of \$25,140.00.

On motion of Supervisor Walker, seconded by Supervisor Flynn, and unanimously carried, the Chairman was authorized to sign said Lease, but directed not to do so until April 7, 1981.

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56-74
Hearing was held as duly advertised to consider the Area Agency on Aging Area Plan and Budget for Fiscal Year 1981-82, in the amount of \$267,213.00, for the administration of the Title III Older Americans Act.

Ms. Joyce Pierson, Director of the Area Agency on Aging, was present to review the Plan and Budget for the Board.

There was no one present wishing to speak to the matter, however, Mrs. Genevieve Stirnaman was present and spoke to commend Ms. Pierson for a job well done in preparing the Plan and Budget.

The hearing was closed.

On motion of Supervisor Walker, seconded by Supervisor Lowe, and unanimously carried, RESOLUTION NO. 83-81 was adopted authorizing the Chairman to sign the Area Agency on Aging Area Plan and Budget for Fiscal Year 1981-82, in the amount of \$267,213.00.

On motion of Supervisor Walker, seconded by Supervisor Lowe, and unanimously carried, RESOLUTION NO. 84-81 was adopted commending the Director of the Area Agency on Aging, Joyce Pierson, and the Commission on Aging for their efforts in developing said Plan.

On motion of Supervisor Walker, seconded by Supervisor Lowe, and unanimously carried, an Ordinance was introduced, amending Section 25,502 of the County Ordinance Code, regarding appointment of members, terms of office, and meetings, of the County Commission on Aging; the reading thereof was waived; and it was continued to April 7, 1981, for adoption.

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233-9
At the recommendation of the Chief Administrative Officer, the Memorandum of Understanding with the El Dorado County Sheriff's Association was continued to April 7, 1981, on motion of Supervisor Walker, seconded by Supervisor Dorr, and unanimously carried.

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72-7
At the request of the Health Department, and on motion of Supervisor Lowe, seconded by Supervisor Dorr, and unanimously carried, the Chairman was authorized to sign an Amendment to the Agreement with Dr. Nancy P. Fox, to reflect change of contractor to Dr. Nancy Fox and John Fox, dba Medical Center Pharmacy, and expansion of consultation services to include dispensing services as well, at a maximum cost of \$3,500.00.

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211
The Chief Administrative Officer submitted the request of Mother Lode Rehabilitation Enterprises, Inc. (M.O.R.E.) that the Chairman be authorized to sign an application for State rental housing construction funds for the construction of 12 rental housing units for the developmentally disabled on property owned by M.O.R.E.

RESOLUTION NO. 81-81 was adopted, on motion of Supervisor Lowe, seconded by Supervisor Stewart, and unanimously carried, authorizing the Chairman to sign said application, subject to the following conditions: (1) The State assuming the County responsibility as applicant to ensure that the terms of the regulatory agreement between the State and M.O.R.E. are carried out; and (2) M.O.R.E. agrees to indemnify and hold the County harmless for failure to carry out any responsibility related to the application for State Rental Housing Construction Program funds.

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22-390-30
390-39

ORDINANCE NO. 3113 was adopted, on motion of Supervisor Lowe, seconded by Supervisor Walker, and unanimously carried, amending the County Animal Control Ordinance to provide for control of chronically barking dogs. (Sponsor: Supervisor Lowe/Introduced March 24, 1981)

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233-272-3-71

ORDINANCE NO. 3115 was adopted, on motion of Supervisor Walker, seconded by Supervisor Lowe, and unanimously carried, adding Chapter 23 of Part 25 of the County Ordinance Code relating to and regulating the use of criminal alarm systems and requiring permits therefor. (Sponsor: Supervisor Walker/Introduced March 24, 1981)

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Mr. Don Hutchings was present to speak on behalf of his request for extension of his building and mobilehome permits due to a medical hardship.

Mr. Hutchings first obtained a building permit on June 28, 1978, at which time he also obtained a permit to place a temporary mobilehome on his property while constructing a home. The building permit went void due to no work being done. Mr. Hutchings was able to have the building permit reinstated, but the reinstated permit also went void due to no work being done. Mr. Tom Bullock, Chief Building Official, stated that, with no progress on the dwelling, the Building Department cannot further extend the building permit, nor can it recommend the Planning Department approve a third-year extension of the mobilehome permit. Mr. Bullock recommended Mr. Hutchings apply to the Planning Department for a Special Use Permit for a mobilehome as permanent housing for the property owner.

Mr. Hutchings advised that he can now put his home in Sacramento up for sale and, when it is sold, he will have funds for construction of this home. He just needs time to sell the house in Sacramento. He cannot afford more "fees", i.e., fee for application for a Special Use Permit, fee to obtain a new building permit if he loses this one, etc. He especially needs to retain the permit for the temporary mobilehome, as he wishes to remain residing in same, and begin construction as soon as he is able to sell the house in Sacramento.

On motion of Supervisor Walker, seconded by Supervisor Lowe, and unanimously carried, the matter was continued to June 30, 1981, and the Chief Administrative Officer requested to present a solution to the problem at that time.

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125-18

El Dorado Land Fill, Inc., requested Section 4.06 of the Lease Agreement with said Company be amended, changing the form of security held by El Dorado County for the faithful performance of payments, for the operation of the Union Mine Disposal Site.

At the recommendation of County Counsel, and on motion of Supervisor Walker, seconded by Supervisor Stewart, and unanimously carried, the Board directed El Dorado Land Fill, Inc., to obtain a Letter of Credit, with the matter to be reagendaized when said Letter is submitted.

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On motion of Supervisor Lowe, seconded by Supervisor Dorr, and unanimously carried, the Board approved applications for abatement of penalties for failure to file Change in Ownership Statements with the County Assessor for the following:

1. Ronald M. Muhlbradt; Patrice Taj-Tehrani (APN 92-390-17)
2. Frank and Jeanie Loui, et al (APN 80-151-21)
3. James A. Manelli; Jeanne Rae Pizzo (APN 23-672-14)
4. Gary W. and Marilyn E. Jones (APN 94-060-58)
5. Twila M. Combs; Douglas W. and Lizabeth A. Briggs (APN 84-070-08)
6. Steven C. Remillong; Suzanne M. and Robert W. Tipton (APN 015-063-04)
7. Hain Power Tool, Inc. (APN 48-170-07)
8. Mae S. Regnart (APN 42-591-02)
9. David Mendoza; Frank M. Perez (APN 23-694-19)
10. James A. Mitchell; Frank E. and Jacqui L. Schetter (APN 31-215-08 and 25-343-09)
11. Paul R. and Christine K. Powelson (APN 93-060-09)
12. Thomas H. and Susan Lee Smallwood (APN 29-091-27)
13. Leroy and Estella Harrison (APN 76-070-13)
14. Robert W. and Allan B. Combellack (APN 3-241-09)
15. Donald B. and Emily Drotman; Steven Levin (APN 80-153-11)
16. Fred D. Cullincini (APN 22-051-10)
17. David R. Houston (APN 77-231-03, 77-231-07, 77-231-08)
18. Daniel L. and Joni L. Engelage; Oscar F. and Donna L. Cunningham (APN 62-440-20)
19. Joseph D. and Anne M. Neri (APN 22-132-18)
20. Harry L. and Leota Plummer; Harold and Laurel Bollenbacher (APN 26-093-10)
21. Timothy P. and Marla M. Becker (APN 82-213-11)
22. Steven R. and Berniece Reed (APN 329-343-02)
23. D. Michael and Margie L. Bistline (APN 68-421-09)
24. Stuart C. and Shirley M. Hill; Douglas and Susan Dolan (APN 43-450-05)
25. Lynn D. and Deborah J. Roberts (APN 9-231-07)
26. Brian G. and Pamela S. Boyer (APN 34-682-27)
27. James David Growdus; Susanne M. Crowdus (APN 42-653-05)
28. Anne and Scott A. Knoll (APN 33-501-03) (Book 1891, Page 558) (Book 1890, Page 249)
29. Richard A. Wright (APN 34-161-38)
30. El Dorado Heating & Air Conditioning (APN 321-160-13)
31. Donna E. Petri; Leora Bjorkquist (APN 50-341-30)
32. Frank and Mary E. Chapman; Lloyd E. and Kathleen Elliott (APN 54-321-21, 54-361-02, and 329-261-09)
33. Ray De Carli (APN 23-743-09)
34. Charles W. and Yong A. Bowman (APN 41-891-09)
35. Jennie A. Kennedy (APN 26-125-03)
36. Donald M. and Dorothy M. Rosenthal (APN 22-171-62)
37. Barbara A. Ruggiero; Shirley M. Homer (APN 26-076-14)
38. Ronald Wayne Monzo (APN 60-690-17)
39. Margret A. Younker (APN 87-190-23)
40. Alfred Melvin and Elizabeth Dokken (APN 34-215-03)
41. John and Helen Sargent (APN 23-752-05)
42. Johnnie and Joanne Miller (APN 41-740-15)
43. Leslie Gentle (APN 58-820-24)

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23
(132)
On motion of Supervisor Lowe, seconded by Supervisor Stewart, and unanimously carried, the Chairman was authorized to sign an Amendment to the Joint Powers Agreement with the City of South Lake Tahoe for the Building Allocation Program within the area served by the South Tahoe Public Utility District for 1981.

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132
37-10
ORDINANCE NO. 3114 was adopted, on motion of Supervisor Dorr, seconded by Supervisor Walker, and unanimously carried, amending the County Ordinance Code pertaining to building permits, to allow extensions of same when delays are caused by official acts of other governmental agencies or public utilities. (Sponsor: Supervisor Dorr/Introduced March 24, 1981)

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241-4
94
94-2
On motion of Supervisor Walker, seconded by Supervisor Stewart, and unanimously carried, the Board approved the recommendation of the Agricultural Commission that personnel from the two local Resource Conservation and Development Districts be appointed to the committee to provide input in the development of a handbook of Erosion and Sediment Control Practices for Developing Lands in the Sierra Nevada Foothills.

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The Board recessed for lunch, and reconvened for the afternoon session with Supervisor Walker absent.

SPECIAL ORDERS

PLANNING MATTERS

285-19-1
390-90
Hearing was held as duly advertised to consider rezoning of lands in the Gold Hill area from Estate Residential Five-Acre Zone and Residential Agricultural Twenty-Acre Zone to Residential Agricultural Twenty-Acre Zone, consisting of 25 acres, initiated by the El Dorado County Planning Commission on lands owned by Melvin L. Hoffman. The Planning Commission recommended the Board approve this rezoning, based on the finding that the request is in compliance with the El Dorado County General Plan -- current designation is RA-5, Residential Agricultural, Five-Acre Minimum.

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

On motion of Supervisor Dorr, seconded by Supervisor Lowe, and unanimously carried by those present, the Board concurred in the Planning Commission's finding; the Negative Declaration was accepted; and the rezoning was approved and adopted by ORDINANCE NO. 3116 which amends the County Zoning Ordinance accordingly.

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465-10-1
390-72
Hearing was held as duly advertised to consider rezoning of lands in the Diamond Springs/El Dorado area from Estate Residential Five-Acre Zone to Exclusive Agricultural Zone, consisting of 120 acres, initiated by the El Dorado County Planning Commission on lands owned by Howard L. Nielsen. The Planning Commission recommended the Board approve this rezoning, based on the following findings:

1. The request is in compliance with the El Dorado County General Plan;
2. The project site has adequate access for the density proposed;
3. The Board of Supervisors established the 120 acres under Williamson Act Contract No. 230 on December 9, 1980.

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

On motion of Supervisor Stewart, seconded by Supervisor Dorr, and unanimously carried by those present, the Board concurred in the Planning Commission's findings; the Negative Declaration was accepted; and the rezoning was approved and adopted by ORDINANCE NO. 3117 which amends the County Zoning Ordinance accordingly.

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285-21-61
Hearing was advertised to consider rezoning of lands in the Diamond Springs/El Dorado area from Estate Residential Ten-Acre Zone to Estate Residential Five-Acre Zone, consisting of 12 acres, petitioned by Robert Fuller and Phillip Stewart.

With the concurrence of those present to speak to the request, the Board, on motion of Supervisor Stewart, seconded by Supervisor Lowe, and unanimously carried by those present, continued the hearing to April 7, 1981, as requested by Supervisor Walker to allow him an opportunity to further research the request.

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285-21-45
340-72
Hearing was held as duly advertised to consider rezoning of lands in the Pleasant Valley/Oak Hill/Sly Park area from Single Family Two-Acre Residential Zone to Planned Commercial Zone, consisting of 1.43 acres, petitioned by James S. Strauss. The Planning Commission recommended approval, and the Planning Director enumerated the following findings of the Commission:

1. The request is in compliance with the El Dorado County General Plan;
2. The project site has adequate access for the density proposed;
3. The project site has adequate public services for the density proposed.

The applicant was not present.

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

On motion of Supervisor Stewart, seconded by Supervisor Dorr, and unanimously carried by those present, the Board concurred in the Planning Commission's findings; the Negative Declaration was accepted; and the rezoning was approved and adopted by ORDINANCE NO. 3118 which amends the County Zoning Ordinance accordingly.

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Supervisor Walker entered the meeting room.

285-21-51
Hearing was held as duly advertised to consider rezoning of lands in the Camino/Fruitridge area from Residential Agricultural Twenty-Acre Zone to Estate Residential Ten-Acre Zone, consisting of 45.829 acres, petitioned by Donald McConnell and Kenneth Smith. The Planning Commission recommended denial, and the Planning Director enumerated the following findings of the Commission:

1. This property is part of an area which is developed in orchards; the smaller the parcel, the more impractical it becomes to sustain agricultural uses;
2. The two parcels are surrounded by RA-20, Residential Agricultural, Twenty-Acre Zoning.

Mr. Don McConnell was present and spoke on his own behalf, stating he desires this zoning on the property so his son can build a home on the 15 acres of same he gift-deeded to him. He emphasized that his family does not wish to break down the property further, and they plan to continue their orchard operation.

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The following area residents were present and spoke in opposition to the request, all concerned with the loss of valuable agricultural lands and the incompatibility of residences adjacent to agricultural lands: Roy Schoepf, Eric Davenport, Greg Boeger, Paul Washburn, and Randy Hanson. The Board also received letters of opposition from Tina and Laurence Lopez, and Henry and Jessie Samaniego.

There being no further written or verbal protests, the hearing was closed.

On motion of Supervisor Walker, seconded by Supervisor Dorr, and unanimously carried, 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 rezoning of lands in the Pleasant Valley area from Estate Residential Ten-Acre Zone to Estate Residential Five-Acre Zone for proposed Lots 127 and 165; from Single-Family Residential Three-Acre Zone to Estate Residential Five Acre Zone for proposed Lots 124 and 166; and from Estate Residential Ten-Acre Zone to Single-Family Residential Three-Acre Zone for proposed Lots 160 through 164; consisting of a total of 147 acres; petitioned by Golden Empire Builders (Allan Lindsay) for Rancho Del Sol Unit No. 2 Rural Subdivision. The Planning Commission recommended approval, based on the finding that the zoning is consistent with the General Plan.

Also submitted to the Board for approval were the Tentative Map and Design Waiver for Rancho Del Sol Unit No. 2 Rural Subdivision. The Planning Commission recommended approval of the Tentative Map, subject to conditions, based on the following findings:

1. The Tentative Map is in compliance with the Pleasant Valley Area Plan;
2. The design and proposed improvements identified on the Tentative Map are consistent with the Pleasant Valley Area Plan;
3. The site is physically suited for the type of development and density proposed;
4. The design of the subdivision and the proposed improvements will not cause substantial environmental damage and will not substantially injure fish and wildlife or their habitat; and
5. The significant impacts identified in the E.I.R. are reduced to a level of acceptance by the mitigation measures proposed.

The Planning Director advised that Colorado Court, within said subdivision, is approximately 900 feet long and could be shortened by connecting to Puerta Del Sol at a closer location, but this would produce a grade steeper than the 15% and would require an additional waiver for the intersection landing. The Planning Commission recommended approval of this Design Waiver, based on the following findings:

1. By using the shown alignment, it reduces the grade to an excellent one. When the entrance to the cul-de-sac comes close to another intersecting road, it should be made at the intersection, consequently, the existing location as shown;
2. In discussions with Mr. Jackson of the County Public Works Department and the project engineer, it was felt that placing a non-vehicular access easement along the north side of the cul-de-sac, thereby cutting down the use to only three lots, would serve as an acceptable mitigation measure to this length since in a fire situation three lots would not unduly crowd the cul-de-sac;
3. Removal or extensive modification would produce hardship since this cul-de-sac is already in existence and has water lines, hydrants and services in place;

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4. The granting of a cul-de-sac longer than 500 feet will not, in this case, be injurious to the adjacent properties or detrimental to the health, safety, convenience and welfare of the public; and
5. The granting of the design waiver will not have the effect of nullifying the objectives of the Major Land Division Ordinance.

The Environmental Impact Report for Rancho Del Sol Unit No. 2 Rural Subdivision was submitted for certification; and the Planning Commission recommended the Board certify the E.I.R. based on the finding that the Environmental Impact Report was prepared in compliance with the requirements of the California Environmental Quality Act of 1970, as amended, and the County's procedures for the implementation of C.E.Q.A.

Mr. Allan Lindsay and Mr. Harold Prescott, project engineer, were present to speak on behalf of the project and answer questions of Board members.

In discussing the Tentative Map, it was agreed by Board members and the Planning Director that condition number 11 should be re-written to read, "Additional water lines and fire hydrants, if needed, shall be provided by the developer. Clearance from Pleasant Valley Fire Protection shall be provided." (The words "by the developer" were added to the condition.)

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

On motion of Supervisor Walker, seconded by Supervisor Dorr, and unanimously carried, the Board certified the Environmental Impact Report for Rancho Del Sol, Unit No. 2, based on the finding that the Environmental Impact Report was prepared in compliance with the requirements of the California Environmental Quality Act of 1970, as amended, and the County's procedures for the implementation of C.E.Q.A.

On motion of Supervisor Walker, seconded by Supervisor Stewart, and unanimously carried, the Board concurred in the Planning Commission's findings; the Negative Declaration was accepted; and the rezoning was approved and adopted by ORDINANCE NO. 3119 which amends the County Zoning Ordinance accordingly, to become effective upon the filing of the Final Map for Rancho Del Sol Unit No. 2 Rural Subdivision.

On motion of Supervisor Walker, seconded by Supervisor Dorr, and unanimously carried, the Board approved the Tentative Map for Rancho Del Sol Unit No. 2 Rural Subdivision, subject to the 17 conditions proposed by the Planning Department, based on the findings of the Planning Commission.

On motion of Supervisor Walker, seconded by Supervisor Dorr, and unanimously carried, the Board approved the requested Design Waiver, based on the findings of the Planning Commission.

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The matter of an Amendment to the County General Plan in the Placerville Periphery area from Medium Density Residential to Commercial, consisting of 5.0 acres, petitioned by J. W. Murrell, et al, and rezoning of said lands, was again before the Board for consideration. This was continued from the meeting of March 23, 1981, at which time the public hearing on same was closed.

At the request of numerous people, the Chairman re-opened the public hearing.

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March 31

19 81

The Planning Commission recommended denial of the requested General Plan Amendment, based on the following findings:

1. The project site is isolated from other commercial land use designations and the reclassification of the site may be a form of spot zoning;
2. The project site is in the Placerville Periphery Plan Area and is currently under study;
3. It is considered acceptable planning practice to require higher density land uses adjacent to the city limits and be held at lower land use intensity until annexed to the city;
4. Additional information is required from the El Dorado County Department of Public Works and CALTRANS.

At the meeting of March 23, 1981, the Board continued the matter to this date and requested the applicant to obtain information regarding sewer service on this property.

Mr. Murrell was present to speak to the request, as was Dr. Bill Colliflower who wishes to build a medical office on the site. Dr. Colliflower submitted a letter, dated March 25, 1981, from Placerville's City Engineer, Mr. Michael W. Foster, regarding the availability of sewer service to the property. Mr. Foster stated it appears that existing sewer lines could be extended to serve the property, however, pumping facilities may be needed, and he recommended an engineering study be done to provide more detailed information.

The following residents of the area were present and spoke in opposition to the request, with the most predominant concern being the very poor roads and safety hazard to school children created by increased traffic on same: Misty DiVittorio, Jerry Mills, David Baker, Dina Muir, Bert Borem, Diane Johnson, Bill Black, Pat Panto, Patrick Riley, Mrs. Herbert Sherner, and Bill Johnson. Residents also expressed concern over the loss of the rural atmosphere by the encroachment of commercial land uses.

The Board also received petitions signed by approximately 200 area residents opposed to the request. (See Minutes of March 23, 1981, for reference to other correspondence received in opposition to the request.)

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

On motion of Supervisor Dorr, seconded by Supervisor Stewart, and unanimously carried, the Board concurred in the findings of the Planning Commission and denied the request of J. W. Murrell for an Amendment to the County General Plan; and denied the requested rezoning based on the finding the requested zoning is not consistent with the General Plan.

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RESOLUTION NO. 85-81 was adopted, on motion of Supervisor Lowe, seconded by Supervisor Stewart, and carried by the following vote: Ayes: Supervisor Dorr, Lowe, Stewart, and Flynn; Noes: None; Abstain: Supervisor Walker, amending the County General Plan to incorporate those amendments approved by the Board on March 23 and 24, 1981.

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At the request of the Planning Commission, and on motion of Supervisor Lowe, seconded by Supervisor Walker, and unanimously carried, the Board approved amendments to said Commission's By-Laws, Sections 3(b) and 5(b), regarding meetings and procedures respectively.

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STATE OF CALIFORNIA, COUNTY OF EL DORADO

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GENERAL ORDERS

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296-4
Dolores
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9-P

At the request of the Public Works Department, and on motion of Supervisor Dorr, seconded by Supervisor Lowe, and unanimously carried, RESOLUTION NO. 79-81 was adopted, authorizing the Chairman to sign Program Supplement No. 7 to the Local Agency-State Agreement (No. 03-5925) for preliminary engineering work on Lotus Road between Green Valley Road and State Route 49 near Coloma.

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In an informal action, the Board advised that the public hearing scheduled for April 30, 1981, at 2:30 p.m., at South Lake Tahoe, regarding the Airport Master Plan for the Lake Tahoe Airport, has been cancelled, to be rescheduled at a later date.

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There being no further business, the Board adjourned to Tuesday, April 7, 1981, at 10:00 a.m.

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APPROVED:



JOSEPH V. FLYNN, Chairman

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

By 

Deputy Clerk