

STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES November 13 19 81

The Board convened in a continued meeting from November 12, 1981. Present: Supervisors Patricia R. Lowe, W. P. "Dub" Walker, Joseph V. Flynn, and Thomas L. Stewart. Absent; Supervisor Robert E. Dorr. Dixie L. Foote, Assistant Board of Supervisors Clerk, was also present. Chairman Flynn presided.

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50-74

At the request of the Director of the Area Agency on Aging, and on motion of Supervisor Walker, seconded by Supervisor Lowe, and unani- mously carried by those present, the Board voted to reconsider its action of November 10, 1981, wherein the Board denied said Agency's request that funds, in an amount not to exceed \$500.00, be authorized for lodging expenses for an alternate delegate to attend the White House Conference on Aging; said reconsideration to be on November 24, 1981.

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Hearing was held as duly advertised to consider the following:

1. Amendment to the County General Plan in the Cool/Pilot Hill area from Exclusive Agricultural to Rural Estates Agricultural, con- sisting of 48 acres, petitioned by George Niegel and Lester Swayze; and
2. Rezoning of said lands from Agricultural Zone to Estate Residential Five-Acre Zone.

The Planning Commission recommended approval, based on the following findings:

General Plan Amendment

57-6

1. It is in compliance with the existing General Plan;
2. It is in compliance with the proposed Area Plan;
3. Adequate services are available to serve the proposed density;
4. Even though the area is under interim zoning, the Board of Supervisors has directed the Commission to handle each application on a case-by-case basis.

Rezoning

1. RE-5, Estate Residential, Five-Acre Zone is in compliance with the General Plan;
2. The request is in compliance with the proposed Area Plan;
3. This application was initiated prior to the interim zoning. The Commission has been directed by the Board of Supervisors to handle each application on a case by case basis;
4. Adequate services are available to serve the proposed density.

Mr. George Sanders, engineer, was present on behalf of the applicant to answer any questions the Board might have.

In a letter to Supervisor Flynn, dated March 14, 1979, the Cool/Pilot Hill Advisory Committee recommended approval of this request.

In a letter to the Planning Commission, dated May 15, 1981, the Agricul- tural Commission recommended this property remain in "A" (10 acre) zoning until the County has completed the proper zoning for the area.

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

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STATE OF CALIFORNIA, COUNTY OF EL DORADO
EXCELEBRASE

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On motion of Supervisor Flynn, seconded by Supervisor Walker, and unanimously carried by those present, the Board accepted the Negative Declaration and declared its intent to approve this Amendment to the County General Plan, based on the findings of the Planning Commission (see Minutes of December 1, 1981 for Resolution No. 403-81 amending the County General Plan accordingly); further, the Board accepted the Negative Declaration and approved the rezoning, based on the findings of the Planning Commission, by adoption of ORDINANCE NO. 3195 which amends the County Zoning Ordinance accordingly, to become effective 30 days following the effective date of the General Plan Amendment.

FOX RIVER
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Hearing was held as duly advertised to consider the following:

1. Amendment to the County General Plan in the Pollock Pines area from Medium Density Residential to Commercial, consisting of 1.581 acres, petitioned by Tom Dawson, Richard Woolworth, Donald Hood, and Jim McDade; and
2. Rezoning of said lands from Single Family Residential Zone to Commercial Zone (Planning Commission recommended Professional Office Commercial Zone with Sierra Design Overlay).

The Planning Commission recommended approval of the requested Commercial General Plan Designation; and Professional Office Commercial (CPO) Zone, with Sierra Design Overlay, on all five parcels, based on the following findings:

1. There is a mixture of residential and commercial land uses which will decrease the likelihood of the area remaining residential;
2. Adjacent properties fronting on Pony Express Trail and those across Pony Express Trail are dominated by commercial use;
3. Access would be from direct frontage on Pony Express Trail, a major arterial in the County's road system;
4. Services: Water - E.I.D.; Sewage Disposal - Septic Systems; Fire Protection - Pollock Pines Fire District.

Mr. Richard Woolworth, who owns lot 23 (one of the five lots in question), was present and spoke on behalf of the applicants. Mr. Woolworth advised that Mr. Tom Dawson was also present, owner of lots 21 and 25, but the owners of lots 26 and 27 were not present. Mr. Woolworth stated he believed the memorandum from the Planning Department, dated October 19, 1981, and the minutes of the Planning Commission meeting of October 8, 1981, when this matter was heard, to be incorrect. He stated the Planning Commission's final recommendation was that CPO Zone only be applied to lots 21 and 23; and the other three lots were to be zoned straight Commercial. Mr. Woolworth spoke to other commercial uses in the area which make the lots in question unsuitable for residential use.

EXCELEBRASE
Mr. Bill Pickles, resident of the area, was present and stated Mr. Woolworth's interpretation of the Planning Commission's action is correct. Mr. Pickles stated he would agree to lots 21 and 23 being zoned CPO, Professional Office Commercial Zone, and is not concerned about the zoning of lots 25, 26, and 27.

FOX RIVER
The following area residents were present and spoke in opposition to this General Plan Amendment and Rezoning: Harold Cobb, representing "Citizens for Planned Development of Pollock Pines" which consists of 28 members; Charles Bell, Verna Cobb, and Jack Randall.

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EXCELEBASE

Mr. Ron Hicks, realtor, spoke on behalf of Mr. Woolworth, stating he has shown Mr. Woolworth's property and found no one is interested in it as residential property because of the commercial activity in the area, and no one is interested in it as commercial property as they have no assurance it will be so zoned. Therefore, he considers the property to be unmarketable.

Mr. Woolworth spoke again, and submitted a copy of a petition that had been submitted to the Planning Commission, which was signed by 28 residents of the area who are in favor of commercial zoning on the properties in question.

Mr. Ken Milam, Planning Director, advised the Board that his memorandum of October 19, 1981, is a correct reflection of the Planning Commission's action.

Mr. Woolworth stated he would prefer to have his property zoned CPO than to be denied any type of commercial zoning at all. Mr. Woolworth further stated that he felt sure the owners of lots 26 and 27 would feel the same. Mr. Tom Dawson, when asked by the Chairman, stated he, too, would prefer CPO Zone than being denied any type of commercial zone.

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

On motion of Supervisor Flynn, seconded by Supervisor Lowe, and unanimously carried by those present, the Board accepted the Negative Declaration and declared its intent to approve this Amendment to the County General Plan, based on the findings of the Planning Commission (see Minutes of December 1, 1981 for Resolution No. 403-81 amending the County General Plan accordingly); further, the Board accepted the Negative Declaration and approved the rezoning of all five parcels in question to CPO, Professional Office Commercial Zone (and deleted the Sierra Design Overlay), based on the findings of the Planning Commission, and the additional finding that "the sizes of parcels 25, 26, and 27 determine they would be better suited for CPO Zone", and ORDINANCE NO. 3196 was adopted which amends the County Zoning Ordinance accordingly, to become effective 30 days following the effective date of the General Plan Amendment.

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Hearing was held as duly advertised to consider the following:

1. Amendment to the County General Plan in the Greenwood area from Low Density Residential to Commercial, consisting of 10.39 acres, petitioned by Danielle Hargis; and
2. Rezoning of said lands from Single Family Residential Two-Acre Zone to Planned Commercial Zone. (Planning Commission recommended Commercial-Historic Design)

The Planning Commission recommended approval, based on the following findings:

General Plan Amendment

1. This would be an expansion of an existing commercially zoned area;
2. The request is consistent with the Goals and Policies for the area;
3. The majority of the land has less than 10% slopes;
4. Access is directly from State Hwy 193, a major road in the area.

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FOX RIVER

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Rezoning

1. The zoning is consistent with the General Plan.

The Planning Commission further recommended that the Board appoint the Greenwood Civic Organization as lead group for an architectural review committee in the Greenwood Plan Area.

Mr. Ed Murray was present and spoke on behalf of the applicant. Mr. Murray advised that they concur in the design control overlay, but feel "historic" design overlay is inappropriate as the site has no historic significance and they have never claimed such. They feel the "scenic" design overlay would be more appropriate for this project. Mr. Murray further advised that the proposed development covers only 5 of the 10.39 acres in question. The remainder of the acreage is owned by Terry and Barbara Peetz who have no plans for development of same at this time. Should they decide to develop the property, they would have to come back through the "planning process" as required by the design control overlay on the zoning.

Danielle Hargis was also present and spoke on her own behalf.

Mr. Art Smoot, President of the Greenwood Civic Organization, and Mr. Martin Zdolsek, area resident active in Greenwood area planning, were present and spoke in favor of the request.

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

Mr. Ken Milam, Planning Director, advised he concurred with Mr. Murray's suggestion regarding the design control, and recommended the Board amend same to "scenic" rather than "historic", using the drawings presented as the control guidelines.

On motion of Supervisor Walker, seconded by Supervisor Flynn, and unanimously carried by those present, the Board accepted the Negative Declaration and declared its intent to approve this Amendment to the County General Plan, based on the findings of the Planning Commission (see Minutes of December 1, 1981 for Resolution No. 403-81 amending the County General Plan accordingly); further the Board accepted the Negative Declaration and approved the rezoning to Planned Commercial Zone, with Scenic Corridor Design Control, with the drawings presented this date used as control guidelines, based on the finding of the Planning Commission, and the additional finding that "renderings have been submitted for one of the parcels by which the decision has been influenced", and ORDINANCE NO. 3197 was adopted which amends the County Zoning Ordinance accordingly, to become effective 30 days following the effective date of the General Plan Amendment; and the Board appointed the Greenwood Civic Organization as lead group for an architectural review committee in the Greenwood Plan area, advisory to the Planning Department.

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On motion of Supervisor Stewart, seconded by Supervisor Walker, and unanimously carried by those present, the Board appointed the following persons as Directors at Large of the Meeks Bay Fire Protection District: Lynn Irwin, Robert Frost, and Robert Malm for 4-year terms; and Joseph Casalino and Robert Schultz for 2-year terms.

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Hearing was again held as duly advertised to consider the following:
(Continued from November 10, 1981)

1. Amendment to the County General Plan in the Camino/Fruitridge area from Multi-Family Residential to Commercial, consisting of 1.854 acres, petitioned by Don L. Stover; and
2. Rezoning of said lands from Mobilehome Park Zone to Commercial Zone.

The Planning Commission recommended denial, based on the following findings:

General Plan Amendment

1. The request is in conflict with existing Plan Policies. Policy #1, Commercial, Page 13, reads: "Locate new commercial developments contiguous to existing commercial uses where it would form centers of compatible character";
2. Camp Snowline Road is a narrow County road of insufficient standard to accommodate potential commercial use. Pony Express Trail is a County maintained road.

Findings

1. The request is not in compliance with the El Dorado County General Plan;
2. The request is in conflict with the Commercial Policies of the Plan.

The Chairman advised that testimony was taken from Mr. Heins Karell on November 10, 1981, and the hearing continued to this date at the request of the applicant's attorney. Mr. Karell was again present and spoke in opposition to the request. Mr. Karell stated he is the owner of Camp Snowline Mobilehome Park across the street from the property in question, of which the majority of the residents are retired people who are opposed to commercial use of property so near them, as they do not wish to be disturbed by the noise of increased traffic.

Mr. Noble Sprunger, attorney for the applicant, was present and spoke on behalf of same. Mr. Sprunger stated that the property is not suitable for the purpose for which it is zoned, as, legally, only 7 mobilehomes could be placed on the acreage, and that is not economically feasible. The applicant feels the site is ideal for a professional building or a feed store, neither of which would generate more traffic than use as a mobilehome park and would have less impact on sewer and water services.

It should be noted for the record that the electricity was off for approximately 30 minutes during this hearing, and the tape recorder was inoperative during that time.

Board members expressed concern with zoning the property for commercial use, and Supervisor Flynn suggested a possible compromise of R2 or Multi-Family Zoning which would require only a rezoning of the property and not an Amendment to the County General Plan.

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

On motion of Supervisor Lowe, seconded by Supervisor Flynn, and unanimously carried, the Board continued the matter to November 30, 1981, at 11:00 a.m., to allow Planning staff and the applicant an opportunity to reassess the land capabilities.

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Hearing was held as duly advertised to consider the following Amendment to the Land Use Element of the General Plan: Long Range Land Use Plan and Policies, to provide guidelines for amendments to the community area plans and to assist in the enhancement of public services in some areas of the County and the protection of good agricultural lands in other areas.

The Planning Commission recommended the Board approve the Environmental Impact Report (E.I.R.) and adopt the Long Range Goals and Policies, with changes made during the public hearings held by said Commission, based on the following findings:

1. The E.I.R. was prepared in compliance with the California Environmental Quality Act (C.E.Q.A.) and State Guidelines;
2. All impacts which were identified have been successfully mitigated.

Mr. Arlan Nickle, Principal Planner, reviewed the Long Range Land Use Plan and Policies for the Board. The following persons were present and expressed their support for the Plan as presented: Mr. Vern Sayles, representing the El Dorado County Board of Realtors; Ms. Jerre Bruyn, representing P.R.I.D.E.; and Mr. Robert Lusk, Forest Supervisor.

There were no protests, and the hearing was closed.

A motion was made by Supervisor Lowe, and seconded by Supervisor Walker, to approve the E.I.R. and adopt the Long Range Goals and Policies as part of the Land Use Element, with changes made during the public hearings held by the Planning Commission, based on the findings of the Planning Commission. By informal consensus of the Board the motion was tabled until November 24, 1981, to give Board members additional time to study the proposed Plan and Policies and to have all five Board members present for the vote on the motion to approve same.

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There was no further business to come before the Board this date, and the Board adjourned to Monday, November 16, 1981, for further consideration of the Cameron Park Area Land Use Plan and Zoning.

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APPROVED:


JOSEPH V. FLYNN, Chairman

ATTEST:

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

By


Dixie L. Foote
Deputy Clerk