



EDC COB &lt;edc.cob@edcgov.us&gt;

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**May 7th meeting proposed agenda item**

1 message

**Sales MaxWigs** <sales@maxwigs.com>

Wed, May 1, 2013 at 11:09 AM

To: bosfour@edcgov.us, bosfive@edcgov.us, bosone@edcgov.us, bosthree@edcgov.us, bostwo@edcgov.us, roger.trout@edcgov.us, edc.cob@edcgov.us

Cc: Ray@maxwigs.com

Dear El Dorado County Board of Supervisors,

As a resident of El Dorado Hills I am writing to request that the Green Valley Corridor Community Region map revisions be added to the May 7th agenda for discussion. This topic is of major concern by a large portion of residents in El Dorado Hills. I hope that you will listen to the voices of residents and open the topic for discussion at the May 7<sup>th</sup> meeting.

Regards,

Ray Lenci



EDC COB &lt;edc.cob@edcgov.us&gt;

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**Green Valley Corridor Community Region boundary line**2 messages

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**Ellen Van Dyke** <gwalliance@gmail.com>

Tue, Apr 30, 2013 at 5:24 PM

To: Ron Mikulaco &lt;bosone@edcgov.us&gt;

Cc: Brian Veerkamp &lt;bosthree@edcgov.us&gt;, Jim Mitrisin &lt;edc.cob@edcgov.us&gt;, Norma Santiago &lt;bosfive@edcgov.us&gt;, Ray Nutting &lt;bostwo@edcgov.us&gt;, Ron Briggs &lt;bosfour@edcgov.us&gt;, Roger Trout &lt;roger.trout@edcgov.us&gt;

Dear Mik:

*Please* can we get the Green Valley corridor Community Region boundary lines change request onto the May 7th agenda item for discussion along with the Shingle Springs CR boundary line item?

Very timely, since I was just in there this morning! Have I said 'Please'?!!

Ellen Van Dyke

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**Bill Welty** <wmwelty@gmail.com>

Thu, May 2, 2013 at 7:50 AM

To: Ron Mikulaco &lt;bosone@edcgov.us&gt;, Brian Veerkamp &lt;bosthree@edcgov.us&gt;, Norma Santiago &lt;bosfive@edcgov.us&gt;, Ray Nutting &lt;bostwo@edcgov.us&gt;, Ron Briggs &lt;bosfour@edcgov.us&gt;

Cc: Jim Mitrisin &lt;edc.cob@edcgov.us&gt;, Roger Trout &lt;roger.trout@edcgov.us&gt;, Ellen Van Dyke &lt;vandyke.5@sbcglobal.net&gt;

Dear Mik:

*Let me add my voice in requesting that* the issue of realigning the Green Valley Corridor Community Region boundary line is placed onto the May 7th agenda item for discussion, along with the Shingle Springs CR boundary line item.

This is an important issue! We will make it a targeted concern at all levels of planning activity, from EDH APAC, to the Planning Commission. The BOS needs to hear it now.

Please ensure it's added to the May 7th agenda. Thanks Mik.

- Bill Welty  
GV Alliance

[Quoted text hidden]

—

**Bill**



EDC COB &lt;edc.cob@edcgov.us&gt;

## Put Removal of Shingle Springs Community Region Line on May 7 BOS Agenda!!!!

1 message

Erinn Guadagnolo &lt;erinn.guadagnolo@apfc.com&gt;

Wed, May 1, 2013 at 8:08 AM

To: "bosfour@edcgov.us" <bosfour@edcgov.us>, "bosthree@edcgov.us" <bosthree@edcgov.us>, "bosone@edcgov.us" <bosone@edcgov.us>, "bostwo@edcgov.us" <bostwo@edcgov.us>, "bosfive@edcgov.us" <bosfive@edcgov.us>, "roger.trout@edcgov.us" <roger.trout@edcgov.us>, "ed.knapp@edcgov.us" <ed.knapp@edcgov.us>, "edc.cob@edcgov.us" <edc.cob@edcgov.us>

Dear Supervisors Briggs and Nutting,

I'm writing to you to request that you start the process of removing the Shingle Springs Community Region Line by putting it on the May 7 Board of Supervisors Agenda, per Attorney Joel Ellinwood's letter submitted to Chairman Briggs from April 25, 2013.

I am a proud Shingle Springs resident and avid supporter and I am aware that the Shingle Springs Community Alliance has collected over **570 signatures** in support of **removing** the Shingle Springs Community Region Line. That's a great deal of support coming from a small community like ours! And I sincerely hope that you will take notice of the concerns and opinions that we as a community are expressing regarding this matter.

I love our community, I love living in Shingle Springs because it is a quiet, rural, and beautiful country area. It has become increasingly obvious to me that my fellow community members and neighbors also want to keep our town rural!! We have faithfully voted you into the office of Supervisor, believing that you will act honestly and with integrity as our representatives, and that you will listen to our voices and opinions, and do your **utmost best** to follow and enact the will of the people!

Thank you for your time and service,

Erinn Guadagnolo  
Shingle Springs, CA

Erinn Guadagnolo  
AMD Chemist

Reference Standard Administrator  
AMPAC Fine Chemicals  
(916)357-6279

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EDC COB &lt;edc.cob@edcgov.us&gt;

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**BOS May 7th Agenda request**

1 message

**Chad Malchow** <chad\_malchow@yahoo.com>

Wed, May 1, 2013 at 7:45 AM

Reply-To: Chad Malchow &lt;chad\_malchow@yahoo.com&gt;

To: "bosone@edcgov.us" &lt;bosone@edcgov.us&gt;

Cc: "bostwo@edcgov.us" &lt;bostwo@edcgov.us&gt;, "bostthree@edcgov.us" &lt;bostthree@edcgov.us&gt;, "bosfour@edcgov.us" &lt;bosfour@edcgov.us&gt;, "bosfive@edcgov.us" &lt;bosfive@edcgov.us&gt;, "edc.cob@edcgov.us" &lt;edc.cob@edcgov.us&gt;, "roger.trout@edcgov.us" &lt;roger.trout@edcgov.us&gt;

To our Community Representatives,

I am emailing you as a concerned resident of this wonderful city for the past 13 years. I am requesting that you please add to the May 7th agenda, the topic/discussion of the Green Valley Corridor Community Region map revisions. There are many houses and schools in the areas, which means many children. Not to mention access to Folsom Lake and the running trails which brings 10,000's of thousands of pedestrians each year.

The development of the Green Valley Corridor needs to have a high priority as there are serious safety concerns here. Developing an ARCO should not happen as this will increase traffic and pose a threat to safety with vehicles needing to make sudden stops and entering the street at lower speeds.

Thank you for the consideration of adding Green Valley Corridor Community Region map revisions to the May 7th BOS agenda.

-Chad



EDC COB &lt;edc.cob@edcgov.us&gt;

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## Put Removal of Shingle Springs Community Region Line on May 7 BOS Agenda per Joel Ellinwood 4/25/13 Letter

1 message

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**Liane Bowen** <Liane.Bowen@c21selectgroup.com>

Tue, Apr 30, 2013 at 4:26 PM

To: "bosfour@edcgov.us" <bosfour@edcgov.us>, "bosthree@edcgov.us" <bosthree@edcgov.us>

Cc: "bosone@edcgov.us" <bosone@edcgov.us>, "bostwo@edcgov.us" <bostwo@edcgov.us>, "bosfive@edcgov.us" <bosfive@edcgov.us>, "ed.knapp@edcgov.us" <ed.knapp@edcgov.us>, "edc.cob@edcgov.us" <edc.cob@edcgov.us>, "roger.trout@edcgov.us" <roger.trout@edcgov.us>

Dear Supervisors Briggs and Nutting,

As representatives of the Shingle Springs Area, we request that you start the process of removing the Shingle Springs Community Region Line by putting it on the May 7 BOS Agenda per Joel Ellinwood's 4/25/13 letter.

We are Shingle Springs residents and are aware that the Shingle Springs Community Alliance has collected over 570 signatures in support of removing the Shingle Springs Community Region Line.

We have been residents of Shingle Springs for 30 years and would be most grateful if you would accommodate this request for all of the reasons stated in Mr. Ellinwood's letter.

Sincerely,

Tom & Liane Bowen  
5401 Big Canyon Road  
Shingle Springs, CA 95682



EDC COB &lt;edc.cob@edcgov.us&gt;

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## Green Valley Corridor Community Region Boundaries

1 message

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Ellen Van Dyke <gvralliance@gmail.com>

Tue, Apr 30, 2013 at 11:26 AM

To: Brian Veerkamp <bosthree@edcgov.us>, Jim Mitrisin <edc.cob@edcgov.us>, Norma Santiago <bosfive@edcgov.us>, Ray Nutting <bostwo@edcgov.us>, Ron Briggs <bosfour@edcgov.us>, Ron Mikulaco <bosone@edcgov.us>, "dave.pratt@edcgov.us" <dave.pratt@edcgov.us>, "tom.heflin@edcgov.us" <tom.heflin@edcgov.us>, "walter.mathews@edcgov.us" <walter.mathews@edcgov.us>, rich.stewart@edcgov.us, brian.shinault@edcgov.us, "roger.trout@edcgov.us" <roger.trout@edcgov.us>, "pierre.rivas@edcgov.us" <pierre.rivas@edcgov.us>, "shawna.purvines@edcgov.us" <shawna.purvines@edcgov.us>  
Cc: Ellen Van Dyke <gvralliance@gmail.com>

The attached file is the request given to the Board of Supervisors this morning (Tuesday 4/30/13) asking them to consider our request to adopt a Resolution of Intent to amend the General Plan, to revise the Community Region boundaries on the Green Valley Corridor.

Ellen Van Dyke for Green Valley Alliance



**CommunityRegion ROI.pdf**

1384K

## Members of the Board:

Please consider our request to adopt an ROI to amend the General Plan. We wish to revise the Community Region boundary to exclude the rural parcels on the Green Valley Road corridor which are currently designated LDR/MDR. We are specifically concerned with the corridor section which includes the proposed Wilson Estates, Dixon Ranch, and Equestrian Springs projects (map attached).

## Facts for consideration:

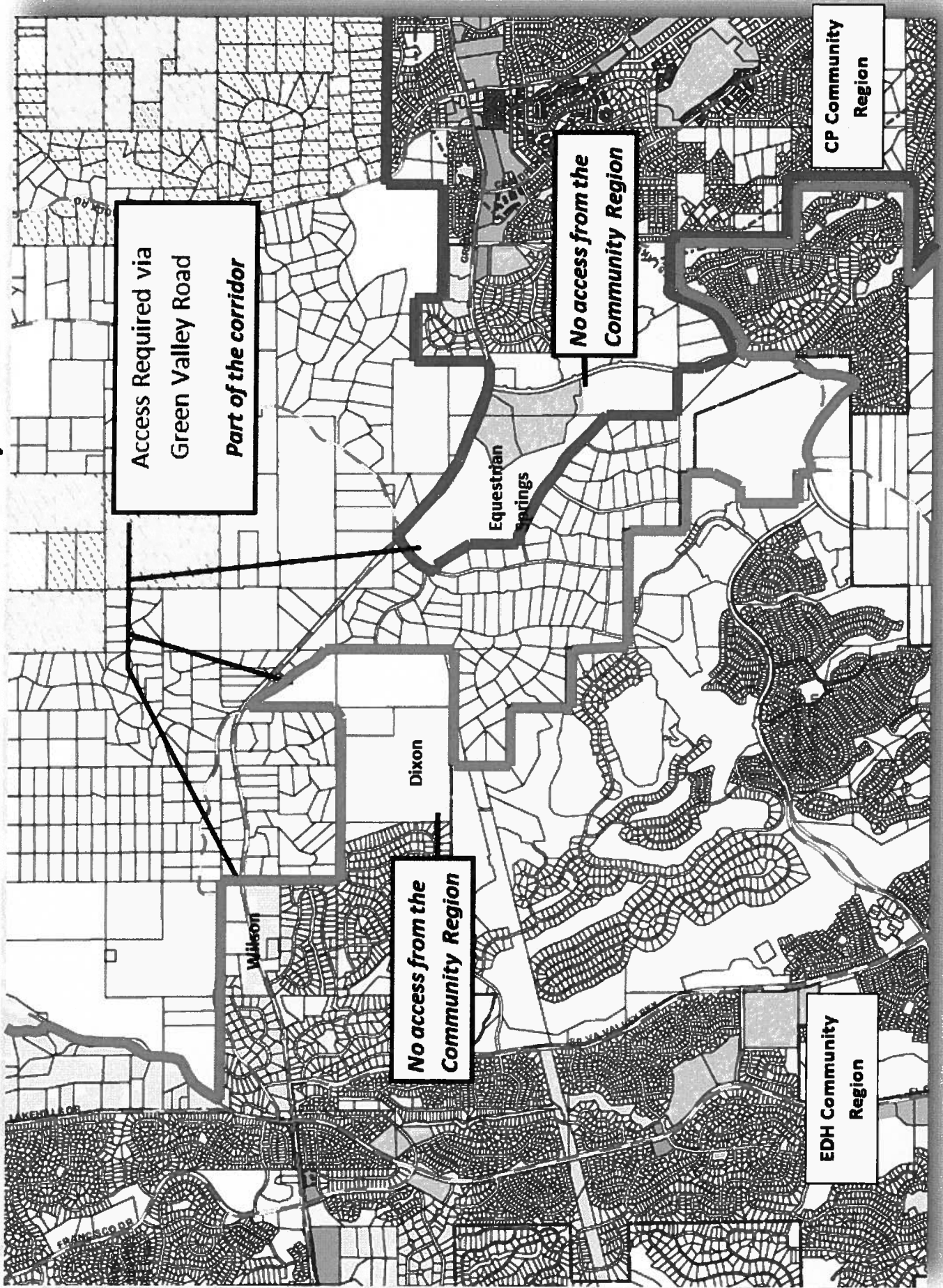
- The subject parcels require access via Green Valley Road; they may border the Community Region, but they are actually part of the rural Green Valley corridor.
- The subject parcels are transitional buffers between high & low density, as required by the General Plan (**GP 2.2.1.2**). Maintaining the Community Region designation suggests that the parcels are appropriate for HDR, and the transitional buffer may be lost.
- General Plan policy calls for *protecting the rural character of a community (GP 2.4)*. The inclusion of the Wilson Estates, Dixon Ranch, and Equestrian Springs parcels within the Community Region disregards that policy.
- The General Plan requires that Community Regions be reviewed every 5 years (**GP 2.9.1.2** and **2.9.1.4**). The 2004 General Plan is well past this point, and the current boundaries require review. This issue must be addressed under the current TGPA.
- The addition of the subject parcels into the Community Region was done via site specific requests put before the Board, without public review and seemingly outside the scope of the EIR. Hence, reverting to the previous boundaries should not require an EIR.

Green Valley Alliance

(Core Group: Don & Ellen Van Dyke; Kelley & John Garcia; Bill Welty; Claire LaBeaux; Cheryl McDougal; Tara McCann)

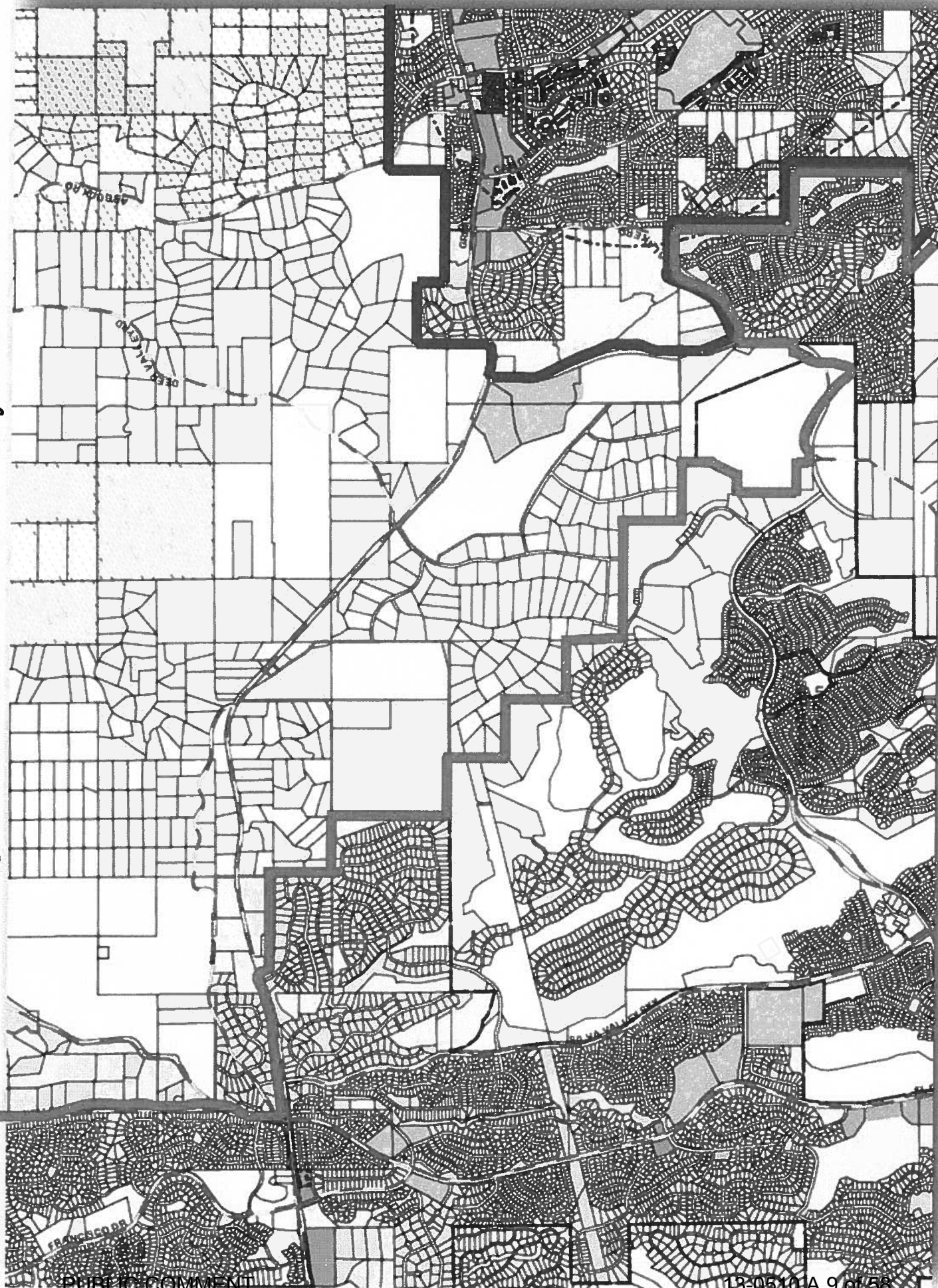
cc: Planning Commission; Roger Trout; Pierre Rivas; Peter Maurer; Shawna Purvines

# Existing Community Region Boundaries - Green Valley Road Corridor





# Proposed Community Region Boundaries - Green Valley Corridor



## **General Plan references:**

**Policy 2.9.1.4** The boundaries of Community Regions and Rural Centers may be changed and/or expanded every five years through the General Plan review process as specified in Policy 2.9.1.2.

**Policy 2.9.1.2** Two years following the adoption of the General Plan and thereafter every five years, the County shall examine the results of the monitoring process for the previous period. If the results of this monitoring process indicate that the distribution of growth varies significantly from the major assumptions of this Plan, the County shall make appropriate adjustments to the Plan's development potential by General Plan amendment. Five year adjustments in the development potential may include either additions to or subtractions from this land supply and may result in policy changes.

## **Goal 2.4 - Existing Community Identity**

Maintain and enhance the character of existing rural and urban communities, emphasizing both the natural setting and built design elements which contribute to the quality of life, economic health, and community pride of County residents.

## **Policy 2.2.1.2**

**Low-Density Residential (LDR)**: This land use designation establishes areas for single-family residential development in a rural setting. In Rural Regions, this designation shall provide a transition from Community Regions and Rural Centers into the agricultural, timber, and more rural areas of the County and shall be applied to those areas where infrastructure such as arterial roadways, public water, and public sewer are generally not available. . . . Within Community Regions and Rural Centers, the LDR designation shall remain in effect until a specific project is proposed that applies the appropriate level of analysis and planning and yields the necessary expansion of infrastructure.



EDC COB &lt;edc.cob@edcgov.us&gt;

## : Put Removal of Shingle Springs Community Region Line on May 7 BOS Agenda per Joel Ellinwood 4/25/13 Letter

1 message

James Williams &lt;jww3100@yahoo.com&gt;

Mon, Apr 29, 2013 at 9:45 PM

Reply-To: James Williams &lt;jww3100@yahoo.com&gt;

To: "bosfour@edcgov.us" <bosfour@edcgov.us>, "bosthree@edcgov.us" <bosthree@edcgov.us>, "bosone@edcgov.us" <bosone@edcgov.us>, "bostwo@edcgov.us" <bostwo@edcgov.us>, "bosfive@edcgov.us" <bosfive@edcgov.us>, "roger.trout@edcgov.us" <roger.trout@edcgov.us>, "ed.knapp@edcgov.us" <ed.knapp@edcgov.us>, "edc.cob@edcgov.us" <edc.cob@edcgov.us>

Dear Supervisors Briggs and Nutting,

I request that you start the process of removing the Shingle Springs Community Region Line by putting it on the May 7 BOS Agenda per Joel Ellinwood's 4/25/13 letter.

I am a Shingle Springs resident and am aware that the Shingle Springs Community Alliance has collected over 570 signatures in support of removing the Shingle Springs Community Region Line.

We chose Shingle Springs to live and raise our three children because of the rural lifestyle that it offers. We exclusively looked at properties only in the Shingle Springs area because we didn't want the medium/high density lifestyle like Sacramento, Folsom and El Dorado Hills or even Cameron Park for that matter. We like the beautiful country scenery that Shingle Springs offers as well as the tranquil privacy that we get in Shingle Springs. Shingle Springs is a safe place to raise our children, where they can enjoy having horses and animals and property to play and have fun. We enjoy the wild turkeys that annually live in our yard, as well as the many other natural wildlife that frequent our property (owls, red tail hawks, wild geese, and deer to name a few). We chose the South Buckeye Rancheros community because we loved the neighborhood and the privacy that it offers. The community region line threatens all the key reasons we chose Shingle Springs and Maggie Lane.

The community region line does not serve the will of the Shingle Springs residents. I think you are aware of the community outcry for the Board to do everything they can to protect what the community wants. Joel Ellinwood has outlined the process to remove the CRL in Shingle Springs, and now we request as your constituents that you put the removal of the CRL on the agenda. Not long ago Joel provided you with a letter on how to stop the proposed San Stino project and you have yet to take action based on that letter. I hope that this time you will heed his legal advice. Your community elected you to protect the will of the community, not the will of developers coming in to profit from the destruction of our rural lifestyle.

Thank you,

James Williams



EDC COB &lt;edc.cob@edcgov.us&gt;

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## Put Removal of Shingle Springs Community Line on May 7 BOS Agenda per Joel Ellinwood 4/25/13 Letter

1 message

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**Robt L Scott** <whynama@pacbell.net>

Mon, Apr 29, 2013 at 8:25 PM

To: bosfour@edcgov.us, bostwo@edcgov.us

Cc: bosthree@edcgov.us, bosone@edcgov.us, bosfive@edcgov.us, roger.trout@edcgov.us, ed.knapp@edcgov.us, edc.cob@edcgov.us

Dear Supervisors Briggs and Nutting:

We request that you start the process of removing the Shingle Springs Community Region Line by putting it on the May 7 BOS Agenda per Joel Ellinwood's 4/25/13 letter.

We are Shingle Springs residents and are aware that the Shingle Springs Community Alliance has collected over 570 signatures in support of removing the Shingle Springs Region Line.

We bought 5 acres on Grandview Circle in 1979 and built our home because of the rural country living. We have retired and feel the project anticipated will infringe on our privacy and hinder access to our home from Shingle Springs Drive and Maggie Lane (private road). Presently we feel safe in our environment.

We hope you will follow the will of the people and start the process of removing the Shingle Springs Community Region Line by putting it on the May 7 BOS Agenda.

Thank you for your consideration.

Robert & Whynama Scott  
3270 Grandview Circle  
Shingle Springs, CA 95682



EDC COB &lt;edc.cob@edcgov.us&gt;

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## Put Removal of Shingle Springs Community Region Line on May 7 BOS Agenda

1 message

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**David Pava** <david@pava.com>

Mon, Apr 29, 2013 at 7:29 PM

To: bosfour@edcgov.us, bosthree@edcgov.us, bosone@edcgov.us, bostwo@edcgov.us, bosfive@edcgov.us, roger.trout@edcgov.us, ed.knapp@edcgov.us, edc.cob@edcgov.us

Dear Supervisors Briggs and Nutting,

I request that you start the process of removing the Shingle Springs Community Region Line by putting it on the May 7 BOS Agenda per Joel Ellinwood's 4/25/13 letter.

I am a Shingle Springs resident and am aware that the Shingle Springs Community Alliance has collected over 570 signatures in support of removing the Shingle Springs Community Region Line.

My wife and I live off of South Shingle. We relocated her from Walnut Creek because we wanted to live in a rural / semi agricultural country setting and we are vehemently opposed to high density development in Shingle Springs. There is certainly no shortage of that "down the hill" for those who desire it - and we believe it has no place here.

We expect our elected representatives to honor the desire of the people they represent and we will closely watch your position on this issue.

Thank you,

David Pava  
4801 Jubilee Trail  
Shingle Springs, CA 95682  
530-677-2923  
David@Pava.com



EDC COB &lt;edc.cob@edcgov.us&gt;

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## Put Removal of Shingle Springs Community Region Line on May 7 BOS Agenda per Joel Ellinwood 4/25/13 Letter

1 message

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Ed Tyk <ed\_tyk@yahoo.com>

Mon, Apr 29, 2013 at 5:17 PM

To: bosfour@edcgov.us, bosthree@edcgov.us, bosone@edcgov.us, bostwo@edcgov.us, bosfive@edcgov.us, roger.trout@edcgov.us, ed.knapp@edcgov.us, edc.cob@edcgov.us

Dear Supervisors Briggs and Nutting,

I request that you start the process of removing the Shingle Springs Community Region Line by putting it on the May 7 BOS Agenda per Joel Ellinwood's 4/25/13 letter.

I am a Shingle Springs resident and am aware that the Shingle Springs Community Alliance has collected over 570 signatures, including mine, in support of removing the Shingle Springs Community Region Line.

I "discovered" Shingle Springs in 1960 while practicing driving from Folsom. The winter weather was so foggy and miserable in Folsom but the sun was shining brightly almost every time I got "above" Cameron Park. I bought my 10 acres of land in 1975 and built my house in 1978 (the second solar house in the County). My daughter and her family now occupy that house and I live in the granny unit half way up the driveway.

Thank you,

Edward L. Tyk, P.E.

4840 Maggie Lane

Shingle Springs, CA 95682-9506

677-3178



EDC COB &lt;edc.cob@edcgov.us&gt;

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## Put removal of Shingle springs Community Region Line on May 7 BOS Agenda per Joel Ellinwood 4/25/13 letter

1 message

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**Chrysan Dosh** <Chrysan@doshlaw.com>

Mon, Apr 29, 2013 at 1:39 PM

To: "bosfour@edcgov.us" <bosfour@edcgov.us>, "bosthree@edcgov.us" <bosthree@edcgov.us>, "bosone@edcgov.us" <bosone@edcgov.us>, "bostwo@edcgov.us" <bostwo@edcgov.us>, "bosfive@edcgov.us" <bosfive@edcgov.us>, "roger.trout@edcgov.us" <roger.trout@edcgov.us>, "ed.knapp@edcgov.us" <ed.knapp@edcgov.us>, "edc.cob@edcgov.us" <edc.cob@edcgov.us>

Dear Supervisor Briggs and Nutting,

I am requesting that you begin the process of removing the Shingle Springs Community Region Line by putting it on the May 7 BOS Agenda per Joel Ellinwood's 4/25/13 letter.

I am a Shingle Springs resident and am aware that the Shingle Springs Community Alliance has collected over 570 signatures in support of removing the Shingle Springs Community Region Line.

My family has lived in Shingle Springs for over 30 years. We chose Shingle Springs to reside in because we love the rural and peaceful atmosphere and quality of life. We have already seen the negative impact of a commercial development on our community with the Indian casino. We depend on you, our representatives, to represent the will of the people, by doing whatever is possible to limit the development in our community in order to maintain the quality of life we value so much.

Thank you for your attention and anticipated support.

Chrysan Dosh



EDC COB &lt;edc.cob@edcgov.us&gt;

## Agenda Item Request for May 7, 2013: Remove the Shingle Springs Community Region Line

1 message

Lise Martin &lt;lmartin1958@sbcglobal.net&gt;

Mon, Apr 29, 2013 at 12:24 PM

To: bostwo@edcgov.us, bosfour@edc.gov.us

Cc: bosone@edcgov.us, bosthree@edc.gov.us, bosfive@edcgov.us, roger.trout@edcgov.us, ed.knapp@edcgov.us, Pierre Rivas &lt;pierre.rivas@edcgov.us&gt;, edc.cob@edcgov.us

Dear Supervisors Briggs and Nutting,

I request that you start the process of removing the Shingle Springs Community Region Line by putting it on the May 7 BOS Agenda per Joel Ellinwood's 4/25/13 letter.

I am a Shingle Springs resident and am aware that the Shingle Springs Community Alliance has collected over 570 signatures in support of removing the Shingle Springs Community Region Line.

I chose to live in Shingle Springs over ten years ago specifically because of the rural character of the area: there are large areas of open space; abundant wildlife (deer, coyote, foxes etc.); good quality air; dark nights during which a person can actually see stars; and quiet neighborhoods. Prior to choosing Shingle Springs I lived in both Cameron Park and El Dorado Hills for a combined total of 20 years. As Cameron Park and El Dorado Hills grew and developed into the suburban and urban areas that they currently are I made the **choice** to live in a community, Shingle Springs, that did not have the same density as those two other El Dorado County communities. I, and many other dedicated Shingle Springs residents, remain committed to working toward keeping this community rural and promoting reasonable growth that respects and honors the peaceful and rural character of this community.

Thank you,

Lise Martin  
Shingle Springs, CA

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PUBLIC COMMENT

13-0510-A 16 of 58





EDC COB &lt;edc.cob@edcgov.us&gt;

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**Please advise TODAY if you can put item on May 7 BOS Agenda: Removing Community Region Line**1 message

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**Lori at Shingle Springs Community Alliance**

Mon, Apr 29, 2013 at 9:33

&lt;info@shinglespringscommunityalliance.com&gt;

AM

To: bosfour@edcgov.us, bostwo@edcgov.us

Cc: bosthree@edcgov.us, bosone@edcgov.us, bosfive@edcgov.us, roger.trout@edcgov.us, ed.knapp@edcgov.us, edc.cob@edcgov.us

Dear Supervisors Briggs and Nutting,

I have been asked by the Shingle Springs Community Alliance Core Committee and legal counsel to contact you and request that you use the information in Joel Ellinwood's 4/25/13 letter (a copy is attached) to begin the process of removing the Community Region Line (CRL) from Shingle Springs. I was also asked to request that I get confirmation from one of you **TODAY** that you will put the item of removal of the CRL on the May 7th BOS Agenda to begin the process.

Please contact me at your earliest convenience today to let me know if you can get the item on the May 7th BOS agenda for the community of Shingle Springs. My home phone is 530-672-6425 and cell phone is 530-391-8369.

Thank you,

Lori Parlin on behalf of the

**Shingle Springs Community Alliance, No San Stino, and Stop Tilden Park***Keeping Shingle Springs Rural*[www.ShingleSpringsCommunityAlliance.com](http://www.ShingleSpringsCommunityAlliance.com)[www.StopTildenPark.com](http://www.StopTildenPark.com) [www.facebook.com/no.sanstino](http://www.facebook.com/no.sanstino) [www.facebook.com/ShingleSpringsCommunityAlliance](http://www.facebook.com/ShingleSpringsCommunityAlliance)

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 **JE ltr to Briggs re CRL 13-04-25.pdf**  
451K

# Joel Ellinwood, AICP LEED AP

Lawyer-Planner

4036 New York Avenue #1203  
Fair Oaks, California 95628  
joel.ellinwood@lawyer-planner.com



California land use & environmental law; urban and regional  
planning policy & advocacy for a more just and sustainable future

April 25, 2013

Sent via email

Chairman Ron Briggs  
El Dorado County Board of Supervisors  
330 Fair Lane, Building A  
Placerville, California 95667

Re: Process for Removal of Shingle Springs Community Region Line (CRL)

Dear Chairman Briggs:

Thank you for again meeting with representatives of my clients, the Shingle Springs Community Alliance and No San Stino. They informed me that in response to their request that you take action to remove the Community Region Line for Shingle Springs, you said that you would request County staff to advise you what the process would be to make that change. Please accept this letter opinion outlining the process for you to review with County Counsel and the Development Services Department.

Summary: The Shingle Springs Community Region Line can be removed by an amendment to the 2004 El Dorado County General Plan. In taking that action, Board of Supervisors can comply with the California Environmental Quality Act (CEQA) by finding that the "common sense" exemption to CEQA applies, or by adopting a negative declaration. The process is straightforward and need not incur significant expense or staff time.

Legal Discussion: The Community Region Line (CRL) designation for Shingle Springs was adopted as part of the 2004 El Dorado County General Plan Land Use Element. To remove it requires an amendment to the General Plan. (Gov. Code § 65358, General Plan Land Use Policy 2.1.1.6).

Amendments to the General Plan may be considered by the Board of Supervisors up to four times per year, however multiple changes may be considered and combined for any of the four amendments. (Gov. Code § 65358 (b)). Action to "substantially amend" a general plan must be referred to local school districts, LAFCO, SACOG, EID and appropriate California Native American tribes for review and comment or other consultation. (Gov. Code §§ 65352 - 65352.3). General plan amendments must be referred to the Planning Commission for a public hearing and report to the Board before the amendment can be set for public hearing by the Board. (Gov. Code §§ 65353 - 65356; *Environmental Defense Project of Sierra County v. County of Sierra* (3<sup>rd</sup> Dist. 2008) 158 Cal.App.4<sup>th</sup> 877). A general plan amendment of one element or section of the plan must be internally consistent with the remainder of the plan. (Gov. Code § 65300.5) Amendments to a general plan are adopted by resolution. (Gov. Code § 65356).

A determination must be made in a preliminary review whether a particular amendment may have a significant effect on the environment under the California Environmental Quality Act (CEQA) (Pub. Res. Code § 21080, 21151). Any significant effect on the environment shall be limited to substantial, or potentially substantial, adverse changes in physical conditions which exist within the area as defined in Section 21060.5, including land, air, water, minerals, flora, fauna, noise, or objects of historic or aesthetic significance. (Pub. Res. Code § 21151 (b)).

If it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, CEQA does not apply under the “common sense” exemption. (14 Cal. Admin. Code § 15061 (b) (3) (“Guidelines”), *Friends of Mammoth v. Board of Supervisors* (1972) 8 Cal.3<sup>d</sup> 247, 272; *Mountain Lion Foundation v. Fish and Game Commission* (1997) 16 Cal.4<sup>th</sup> 105, 124). The common sense exemption can be used “only in those situations where its absolute and precise language clearly applies.” *Myers v. Board of Supervisors* (1<sup>st</sup> Dist. 1976) 58 Cal.App.3d 413, 425.

As the leading treatise<sup>1</sup> on CEQA explains the process for application of an exemption:

“Under CEQA, an agency need not follow any particular procedure to determine that a project is exempt. The agency need not provide the public or other agencies with an opportunity to review, or hold a public hearing on, its exemption determination. See CEQA Guidelines §§ 15060 (preliminary review), 15161 (review for exemption); see also *Cal Beach advocates v. City of Solana Beach* (4<sup>th</sup> Dist. 2002) 108 Cal.App.4<sup>th</sup> 529, 538-541 . . . , see also *Magan v. County of Kings* (5<sup>th</sup> Dist. 2002) 105 Cal.App.4<sup>th</sup> 468, 477 . . . (even where an exemption is contested, an agency need not provide a hearing on the record for such contest).” (*Guide to CEQA*, pp. 112-113).

In *Davidon Homes v. City of San Jose* (6<sup>th</sup> Dist. 1997) 54 Cal.App.4<sup>th</sup> 106, the Court of Appeal reversed the City of San Jose’s decision adopt a development moratorium ordinance while certain test drilling could evaluate the suitability of the land for development in reliance on the common sense exemption that was contained in a conclusionary recital in the preamble to the ordinance. A developer challenged the exemption arguing that the drilling may itself have some adverse environmental effect. The Court held that the City failed to support its exemption determination with substantial evidence in the record. As the Guide to CEQA recommends, “an agency relying upon the common sense exemption should take care to build an appropriate record supporting its exemption determination.” (*Ibid.* at p. 166).

After determining that an exemption applies, and the amendment is adopted, the County may file a Notice of Exemption (NOE). (Pub. Res. Code § 21152 (b), Guidelines § 15062. The filing of a NOE triggers a 35-day statute of limitations for a legal challenge to the exemption determination.

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<sup>1</sup> Remy, et al. *Guide to CEQA*, 11<sup>th</sup> Ed. (Solano Press, 2007)

Chairman Ron Briggs

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If, however, it is determined that there is insufficient evidence to conclude with certainty that the common sense exemption is applicable, the appropriate CEQA process must be followed beginning with an initial study. (Guidelines §§ 15063, 15365). Even if the determination is made that CEQA may apply, where there is no substantial evidence that the amendment may have a potentially significant adverse effect on the environment, adoption of a negative declaration is the appropriate process under CEQA. (Pub. Res. Code § 21080 (c), Guidelines § 15070).

A proposed negative declaration should be prepared with the contents specified in Guidelines § 15071, and circulated for public comment by preparing, filing, posting, publishing and mailing a notice of intent to adopt a negative declaration as provided in Guidelines § 15072, to be followed by a period for public review, Guidelines § 15073. Prior to making its recommendation on a proposed general plan amendment, the Planning Commission shall consider the proposed negative declaration. Guidelines § 15074. Prior to approving a general plan amendment, the Board of Supervisors shall consider the proposed negative declaration and any comments received. If it finds on the basis of the initial study, the proposed negative declaration, and any comments received that there is no substantial evidence that the general plan amendment will have a significant effect on the environment and that the negative declaration reflects the Board's independent judgment and analysis, the Board should adopt the negative declaration prior to acting on the general plan amendment. (*Ibid.*) After the general plan amendment has been adopted, the County must file a Notice of Determination (NOD). (Pub. Res. Code § 21152 (a); Guidelines § 15075). The filing of the NOD starts a 30-day statute of limitations for any legal challenge of the CEQA determination. (Pub. Res. Code § 21167, Guidelines § 15075 (g)).

Only if there is substantial evidence that the amendment may have a significant effect on the environment would the preparation of an Environmental Impact Report (EIR) be necessary. If required, the EIR may be incorporated in the text of the general plan amendment. (Pub. Res. Code § 21151, Guidelines § 15166).

The purpose of the CRL designation in the 2004 General Plan is,

"... to define those areas which are appropriate for the highest intensity of self-sustaining compact urban-type development or suburban type development within the County based on the municipal spheres of influence, availability of infrastructure, public services, major transportation corridors and travel patterns, the location of major topographic patterns and features, and the ability to provide and maintain appropriate transitions at Community Region boundaries<sup>22</sup>."

Because the CRL designation does not change the underlying general plan land use designations or zoning district classifications of land within the boundaries of a CRL area, implementation of a potential increase in intensity and type of use within any CRL area will itself most often require a general plan and zoning ordinance amendment before any development consistent with the CRL

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<sup>22</sup> 2004 El Dorado County General Plan Land Use Element, Policy 2.1.1.2, p. 12

Chairman Ron Briggs

April 25, 2013

Page 4

policy could be approved, as, for example, is the case with the proposed San Stino residential project within the Shingle Springs CRL area. Eliminating the CRL would eliminate the potential that would otherwise exist of possible intensification of density or type of use that might result in significant changes that might otherwise occur under the policy.

Removing the CRL from the Shingle Springs area cannot therefore result in *any* change to the physical environment. It could not result in any effect that could be consequential for any school district, LAFCO, EID, SACOG or local California Native American tribe, or result in any change, adverse or otherwise, to land, air, water, minerals, flora, fauna, noise, or objects of historic or aesthetic significance.

For this reason, removal of the CRL for Shingle Springs would not constitute a “substantial” amendment to the general plan for which outside agencies would need to be given notice or opportunity for comment, although in an abundance of caution the process could still be followed to avoid potential challenge that might result from omitting that step. Furthermore, the CEQA “common sense” exemption applies, because it may be found with certainty that there is no possibility that removal of the CRL for Shingle Springs could have an adverse effect on the environment. Only implementation of the CRL could have such effect.

Because all the unincorporated areas of El Dorado County are classified as Community Regions, Rural Centers or Rural Regions, removal of the CRL from Shingle Springs suggests that it would be appropriate to designate the existing commercial core area of Shingle Springs as a Rural Center, with the greatest extent of Shingle Springs classified as a Rural Region to maintain consistency with the remainder of the General Plan.

Consistency with the Housing Element’s identification of specific locations with appropriate zoning for development of affordable low and moderate income housing to help meet the County’s obligation to address its fair share of the regional need for affordable housing would not be compromised by removal of the Shingle Springs CRL. The most recent adopted housing element relies upon existing appropriate general plan land use and zoning ordinance designations to meet that requirement, rather than the generalized potential for more intensive development under the CRL policy.

In addition to the fact that over 560 Shingle Springs and other El Dorado County residents have signed my clients’ petition requesting that the CRL for their community be removed, there are many sound planning policy reasons for doing so. Unlike other communities with CRL designations such as El Dorado Hills, Cameron Park and the communities adjacent to Placerville, Shingle Springs has a predominately rural, large-lot residential development pattern, with the exception of a compact, relatively small commercial core. Intense, high-density residential and mixed-use development is out of character with and conflicts sharply with this pattern. The road infrastructure in Shingle Springs, particularly the Ponderosa interchange, is already severely impacted. Because of the location of Ponderosa High School and the commercial district of Shingle Springs, it is not feasible to effectively

mitigate the traffic congestion in the area by diversion of traffic to the Shingle Springs interchange for trips to those frequent destinations for Shingle Springs residents.

Perhaps the most important reason from a County-wide perspective for reducing the amount land and more closely focusing development potential in El Dorado County to the areas best suited for more intensive urban and suburban type development is the limited supply of public water. The sole provider, El Dorado Irrigation District (EID), has consistently reported that it has only 2,000 equivalent dwelling unit (EDUs) water connections available for all potential residential, commercial or ag/rec irrigation use for the *entire western slope area of the County* other than El Dorado Hills. EID does not have general land use authority, so it makes the limited connections available on a first-come, first-served basis. The County government, on the other hand, does have the authority to direct where the limited supply of water connections are best utilized by its control of land use entitlements.

Reducing the number and scope of CRL areas in the County would help ameliorate perhaps the greatest flaw in the 2004 El Dorado County General Plan – its virtual assumption that public water supplies are essentially unlimited, and will be available to serve development where ever it may occur<sup>3</sup>. The facts, as set forth in detail in EID's 2001 Water Supply Master Plan Administrative Draft and annual supply assessments, starkly contradict this assumption. With the passage of SB 610 and SB 221 in 2001<sup>4</sup>, the assessment and verification of long-range water supply over 20 years, including single and multiple dry years, is required for EIRs and tentative subdivision map approvals for residential projects of more than 500 units and similarly large-scale commercial or industrial projects. The aggregation of smaller projects that are encouraged under the 2004 general plan CRL policy could easily exceed this threshold by many times, and is no less important to adequately plan for. By applying the water supply assessment and verification policy at the general plan stage, rather than at the tentative subdivision map stage would help assure that the limited water supply is available for the highest priority development types, regardless of scale.

Prioritizing the communities and more limited areas of communities where use of the limited supply would have the greatest benefit and be most compatible with and complement the established surrounding development pattern makes sense. This would avoid a hodge-podge of isolated developments that drain the limited supply of public water and correct the current jobs/housing imbalance that predominates in the County. It makes no sense to permit the exhaustion of an essential scarce resource for yet more residential development that does not provide long-term employment and sales and use tax revenue. Eliminating the CRL for Shingle Springs is one effective and easily-accomplished means to accomplish this objective as a first step to a more rational water supply allocation in the General Plan.

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<sup>3</sup> 2004 El Dorado County General Plan, Introduction, Plan Assumptions, p. 4.

<sup>4</sup> Codified in Water Code § 10910, *et seq.* and Government Code § 66473.7 and § 65867.5.

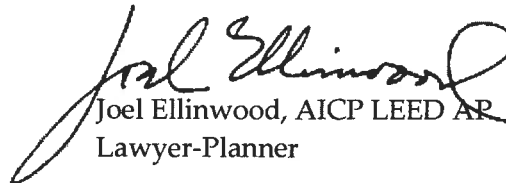
Chairman Ron Briggs  
April 25, 2013  
Page 6

Conclusion: Given that the process to remove the CRL designation for Shingle Springs is clearly outlined and relatively straight-forward and not overly costly, my clients request that the Board of Supervisors exercise the political will to initiate the process in response to the broad and growing groundswell in support of this change by the residents of Shingle Springs.

I am available to discuss the process set forth in this letter in greater detail with County Counsel and the Development Services Department staff to answer any questions or concerns they may have. Once we are agreed on the process, I will prepare a draft of a proposed general plan amendment, findings in support of exemption or draft proposed negative declaration to provide a starting point for county staff.

Thank you again for your responsive interaction with my clients. They look forward to your strong support in moving this matter forward.

Very truly yours,



Joel Ellinwood, AICP LEED AP  
Lawyer-Planner

cc: Hon. Ray Nutting  
Hon. Ron Mikulaco  
Hon. Brian Veerkamp  
Hon. Norma Santiago  
County Counsel  
Roger Trout  
clients



EDC COB &lt;edc.cob@edcgov.us&gt;

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**Subject: Removal of Shingle Springs Community Region Line on May 7 BOS Agenda per Joel Ellinwood 4/25/13 Letter**1 message

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**Jackie Long** <jackie@infomatrix-usa.com>

Mon, Apr 29, 2013 at 5:51 PM

To: bosfour@edcgov.us, bosthree@edcgov.us, bosone@edcgov.us, bostwo@edcgov.us, bosfive@edcgov.us, roger.trout@edcgov.us, ed.knapp@edcgov.us, edc.cob@edcgov.us

Cc: Lori at Shingle Springs Community Alliance &lt;info@shinglespringscommunityalliance.com&gt;

Dear Supervisors Briggs and Nutting,

This is a heartfelt request you start the process of removing the Shingle Springs Community Region Line by putting it on the May 7 BOS Agenda per Joel Ellinwood's letter on 4/25/13.

My husband and I are Shingle Springs residents and are aware the Shingle Springs Community Alliance has collected over 570 signatures in support of removing the Shingle Springs Community Region Line.

We have lived in Shingle Springs for the past 23 years. We came here for a reason - to enjoy the rural country living Shingle Springs offered and get away from the suburbs of Orangevale where you looked out your backyard and could see the rooftops of the houses behind you or look out a window and see the wall of the house next door. We enjoy the wildlife and peacefulness of country living.

Please don't let this opportunity pass by to retain the beauty of keeping Shingle Springs rural. We don't want to have it turn into 'suburbia'.

I encourage you to park at the corner of Motherlode and French Creek between 8am and 9am - cars are backed up to that intersection because the traffic is so congested to make a right on Ponderosa Rd. to get on the freeway or the kids going to Ponderosa High. Our roads, especially French Creek cannot sustain the amount of additional traffic that will take place with the San Stino project.

When we first moved up here, we enjoyed how they herded the cows down French Creek to move them to another area for grazing off French Creek. Sad to say, it no longer happens as a 'city' person who moved up here said it upset her son who was in the car with her. Yes, it may have been inconvenient because you couldn't get to where you were going fast enough. Again, that is the beauty of living in the country.

I hope you both take this to heart and listen to the people you represent. You are our voice and I hope you will support our voice as we have supported and counted on you to vote the will of the people.

Thanks you for your time.

Sincerely,

Rob and Jackie Long  
5370 Connie Ln.  
Shingle Springs, CA 95682  
(530) 677-0214





EDC COB &lt;edc.cob@edcgov.us&gt;

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## Green Valley Corridor Community Region Boundaries

1 message

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Sue McClurg <SMcClurg@watereducation.org>

Thu, May 2, 2013 at 2:00 PM

To: "bosone@edcgov.us" <bosone@edcgov.us>

Cc: "bostwo@edcgov.us" <bostwo@edcgov.us>, "bosthree@edcgov.us" <bosthree@edcgov.us>, "bosfour@edcgov.us" <bosfour@edcgov.us>, "bosfive@edcgov.us" <bosfive@edcgov.us>, "edc.cob@edcgov.us" <edc.cob@edcgov.us>, "roger.trout@edcgov.us" <roger.trout@edcgov.us>

May 2, 2013

Supervisor Ron Mikulaco

District I, El Dorado County

330 Fair Lane  
Placerville, CA 95667

Dear Supervisor Mikulaco,

I am writing to request that the community region line issue related to the Green Valley Corridor Community Region be added to the May 7 Board of Supervisors agenda when you consider the Community Corridor Boundaries for Shingle Springs. I strongly support the Green Valley Alliance's request to revise the Green Valley Corridor Community Boundaries so that the Green Valley corridor remain a rural corridor with low density housing on five to ten acre parcels.

My husband and I moved to El Dorado County from Sacramento County in 2011 because we wanted to live on a five-acre parcel in a rural neighborhood. As residents of Green Springs Ranch we strongly oppose proposals to build high density housing in this corridor. Further development of this corridor – especially high density development – will only add to traffic and safety concerns on Green Valley road. There already are 42 access points on Green Valley Road between Silva Valley Parkway and Bass Lake Road – including many private driveways – and it is imperative the area remain rural; the road already has too many traffic hazards and safety issues.

**I would strongly urge you and the other supervisors to adjust the community region lines related to the Green Valley Corridor Community Region to show your commitment to keeping the rural parts of El Dorado County rural and retain the five to ten acre parcel zoning that is currently in the general plan.**

Sincerely,  
PUBLIC COMMENT

13-0510 A 25 of 58

Susan M. McClurg  
1871 Carl Road  
Rescue, CA 95672  
Green Springs Ranch

530-676-1925

cc

Ray Nutting, Supervisor District II  
Brian Veerkmp, Supervisor District III  
Ron Briggs, Supervisor District IV  
Norma Santiago, Supervisor District V  
Clerk of the Board, Jim Mitrishin  
Roger Trout, Director, Dev. Svcs.



EDC COB &lt;edc.cob@edcgov.us&gt;

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**FW: Green Valley Corridor Region map revisions**

1 message

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**Lorene Nielsen** <lorene.nielsen@oracle.com>  
To: edc.cob@edcgov.usThu, May 2, 2013 at 9:07 AM

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**Hi Jim,****Thought you might want a copy of this email.****Thanks,****Lorene**

**From:** Lorene Nielsen  
**Sent:** Thursday, May 02, 2013 9:05 AM  
**To:** The BOSONE  
**Cc:** bostwo@edcgov.us; bosthree@edcgov.us; bosfour@edcgov.us; bosfive@edcgov.us; roger.trout@edcgov.us  
**Subject:** Green Valley Corridor Region map revisions

Dear Supervisor Mikulaco,

I am contacting you in support of Green Valley Alliance to ask that you please include their Community Region map revisions in your May 7<sup>th</sup> meeting agenda so that this can be a topic for discussion. I am behind their proposed changes, and I also hope that other regions in El Dorado Hills will soon be able to follow in their footsteps.

Thank you very much,

Lorene Nielsen

Ridgeview Drive

El Dorado Hills  
PUBLIC COMMENT

13-0510 A 27 of 58



May 6, 2013

Ron Briggs, Chairman  
El Dorado County Board of Supervisors  
330 Fair Lane  
Placerville, CA 95667

Via Email

Re: Agenda Item 25  
May 7, 2013 BOS Agenda

Dear Chairman Briggs and Members of the Board:

I represent San Stino, LP, the project applicant for a project located within the Shingle Springs Community Region. This letter is in response to Mr. Ellinwood's letter of April 25, 2013, regarding the above described Agenda item, which asks the Board of Supervisors to initiate the process to "remove the CRL designation for Shingle Springs." Mr. Ellinwood suggests that such an action is a simple act requiring only the making of findings without the benefit of an environmental document. This view ignores the very foundations of the El Dorado County General Plan and completely ignores the processes envisioned in the General Plan.

The General Plan is required by State law to accommodate projected growth within the County. It was recognized at the time of the General Plan's creation that growth would be inevitable and that El Dorado County's historical planning processes would result in further "rural sprawl", disjointed patterns of development and inefficient use of land, wasting resources and available infrastructure systems. Accordingly, the County developed the concept of "regions" incorporating the laudatory elements of compact suburban design to ensure that the County's available infrastructure is efficiently used and the land most amenable to development is designated for growth. This is a foundational concept in the General Plan and many hours of study and debate went into the designation and boundaries of the Community Regions. The environmental studies supporting the General Plan, the findings of approval and subsequent studies for implementation of the various elements of the General Plan are all premised on the designated growth areas, the Community Regions, identified in the General Plan. Mr. Ellinwood would have you cavalierly throw out one of the key Community Regions in the General Plan without environmental review. This ignores the imbalance that would be created in the General Plan and the impacts associated with the necessary relocation



of the growth designated for the Shingle Springs Community Region. It is suggested that such projected growth should be directed to El Dorado Hills or Cameron Park. Such a decision would result in significant impacts on those communities which would not go unnoticed by the neighborhoods impacted by that redirection of growth. Common sense dictates that a removal of a Community Region in the General Plan is a significant step involving a complete re-evaluation of the General Plan and extensive environmental review.

The General Plan contains a process for County-initiated changes to the Community Region Boundaries outlined in Policy 2.9.1.4 – “The boundaries of Community Regions and Rural Centers may be changed and/or expanded every five years through the General Plan review process as specified in Policy 2.9.1.2.” This process has been utilized with the last review by the County being done in 2011. By unanimous action of the Board of Supervisors on April 4, 2011, the Board found that “the basic General Plan Assumptions, Strategies, Concepts and Objectives generally are still valid, or have not changed so drastically that the County would need to consider amending them at this time.” The Board had the opportunity to change or expand the Community Region at that time, and determined that no change was necessary.

The General Plan as it exists today is the result of many years of study, debate, litigation and a favorable vote by the Citizens of the County. It is currently being refined and implementation measures are being developed to complete the process and achieve the goals of the General Plan. This is not the time to essentially gut the General Plan and undo so much of the hard work that has gone on before.

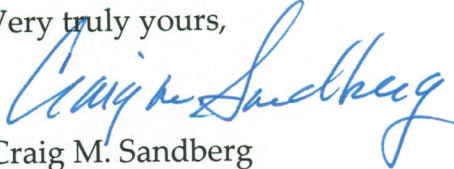
Notwithstanding all of the effort, study and debate that went into designating the growth areas within the County, the fact that a development project in the Community Region has engendered opposition is not surprising. To the contrary, it would be surprising if there was no opposition, particularly in our new world of electronic media. However, there is a process where the rights of a landowner, whether a proponent or opponent, are protected and concerns are addressed. The request on the part of my clients is to be given the opportunity to engage in that process. My client is committed to working with the Shingle Springs community to fully understand the issues and concerns that the community members have with regard to the project. The project as proposed can be modified in a limitless number of ways between now and the hearings where a decision will be made, and it may be that the project that arrives at the hearing

Ron Briggs, Chairman  
El Dorado County Board of Supervisors  
May 6, 2013  
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will be acceptable to some or even most of those currently opposed. At that time, with the information derived from the EIR, from the professional planning staff, from the applicant, and from the community, the decision-makers will be in a position to make an informed decision about the merits of the proposal.

The decision that this portion of Shingle Springs is appropriate for development has been made through the adoption of the General Plan and the focus now should not be whether growth should occur, but how that growth can be accomplished in a manner which will minimize the impact on the neighboring community and the County's existing infrastructure. The County has a process to achieve this goal which should now be undertaken.

Very truly yours,



Craig M. Sandberg

CMS/ms

cc: Board of Supervisors (via e-mail)  
County Counsel  
Roger Trout



# What is the Shingle Springs Community Alliance?



# Community Meeting 1/15/13 at the Shingle Springs Community Center About 200 attendees





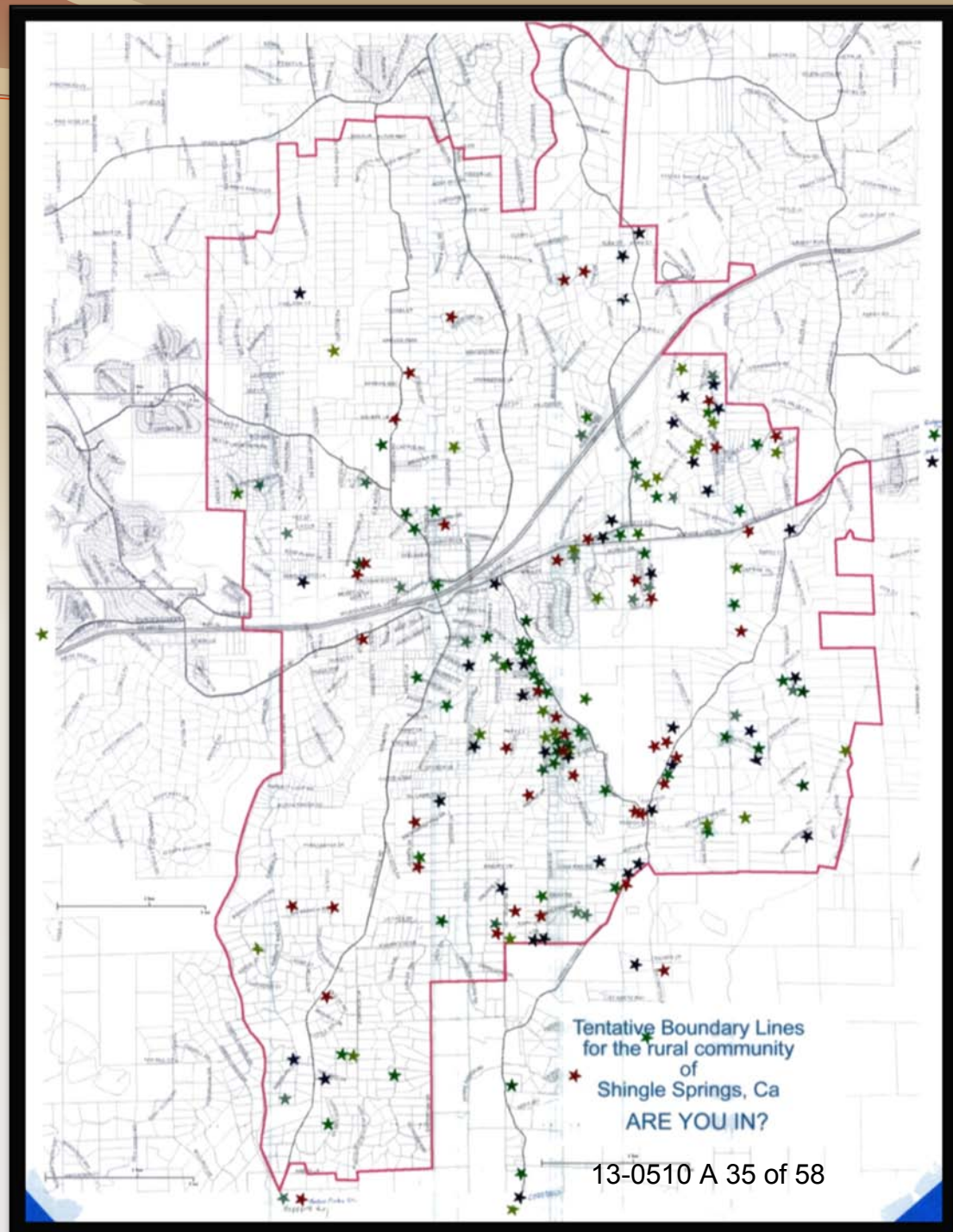
# Community Meeting 3/14/13 at the Discovery Hills Church Just over 300 attendees



# Shingle Springs Community Boundaries

From 3/14/13  
Community  
Meeting

PUBLIC COMMENT



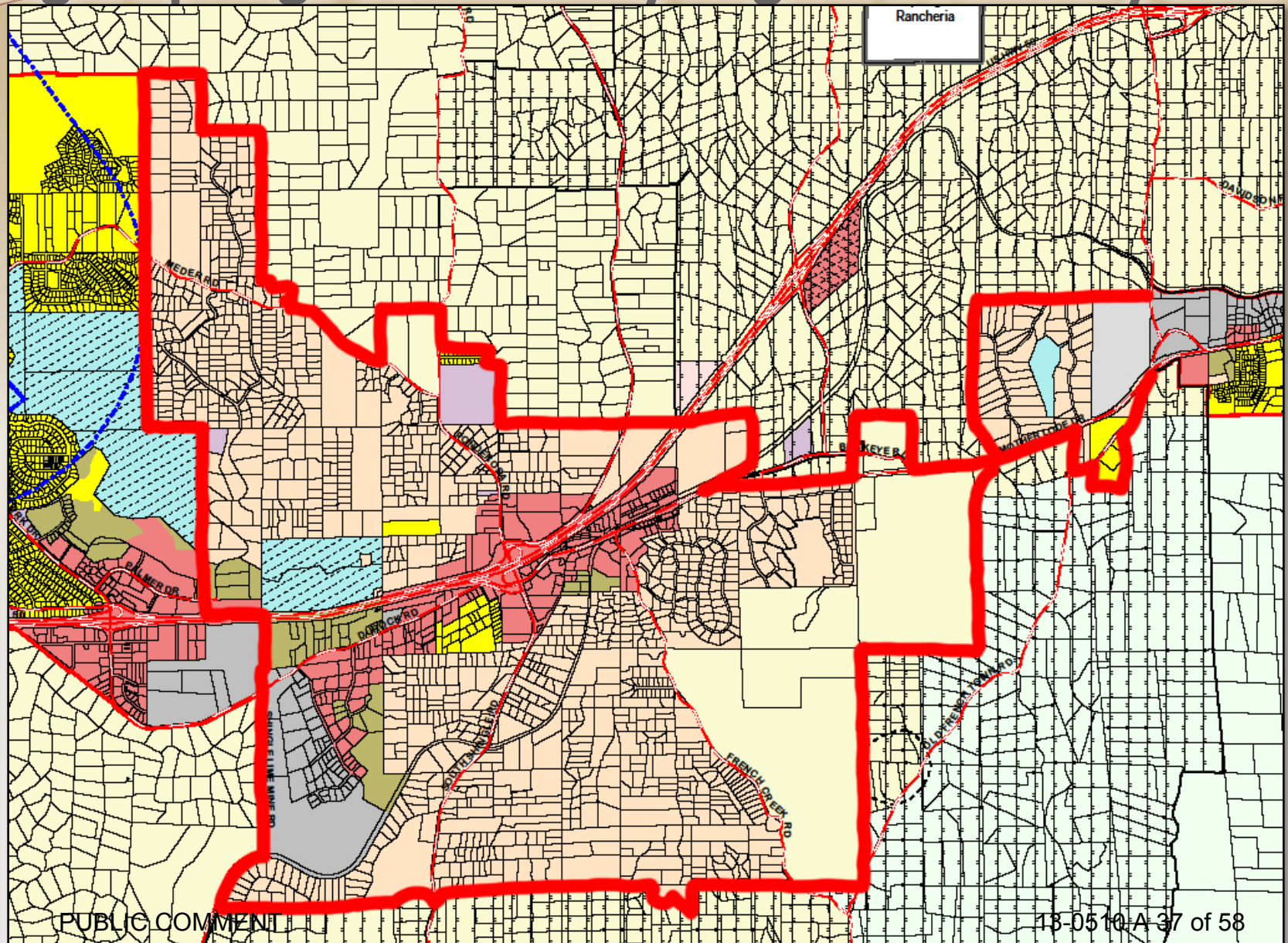




Proposed Projects:  
San Stino and Tilden Park

# How Did We Get Here?

# Shingle Springs Community Region Boundary Line



## OBJECTIVE 2.1.1: COMMUNITY REGIONS

**Purpose:** The urban limit line ... demarcating where the urban and suburban land uses will be developed.

### Policy 2.1.1.2

Establish Community Regions to define those areas which are appropriate for the highest intensity of self-sustaining compact urban-type development or suburban type development within the County.

## 2004 Community Regions Definition

- **Policy 2.1.1.3**

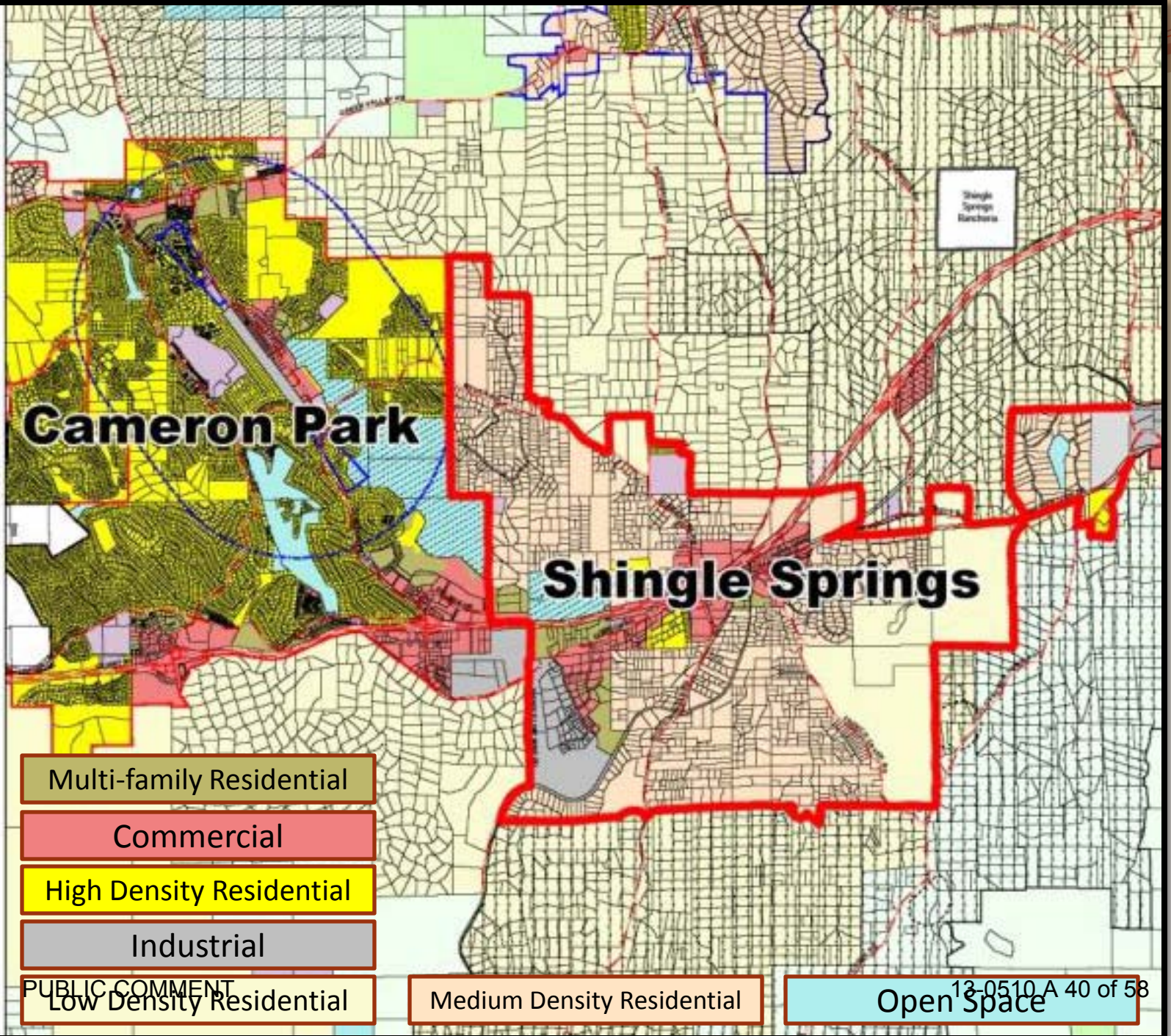
**Mixed use developments** which combine commercial and residential uses in a single project **are permissible and encouraged** within Community Regions:

- mixed uses may occur vertically and/or horizontally.
- maximum residential density shall be 16 dwelling units per acre. \*\*\*

- **Policy 2.1.1.6**

The boundaries of existing Community Regions may be modified through the General Plan amendment process.





**Cameron Park**

**Shingle Springs**

Shingle Springs Rancheria

- Multi-family Residential
- Commercial
- High Density Residential
- Industrial
- Low Density Residential

Medium Density Residential

Open Space

PUBLIC COMMENT



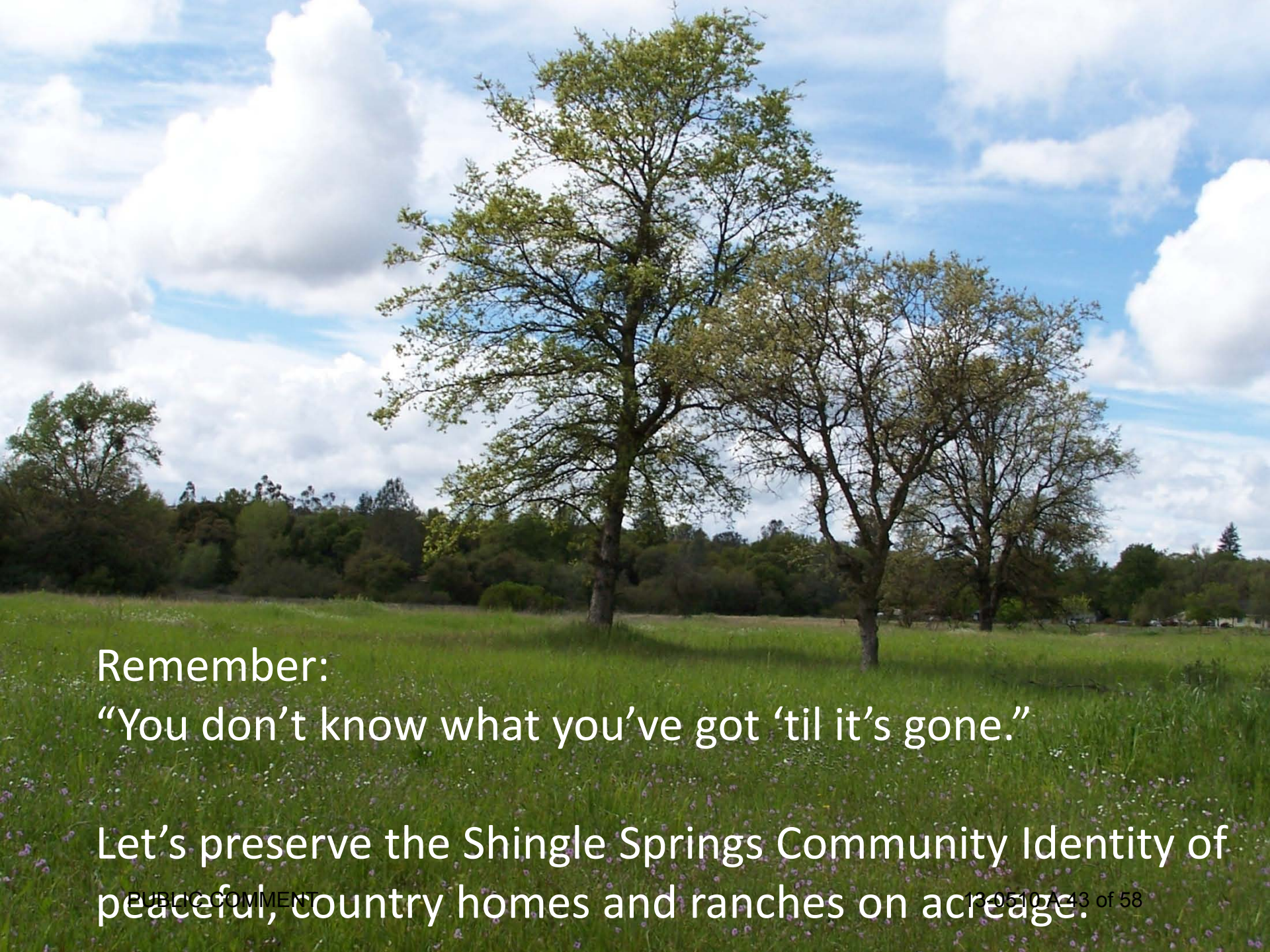
# Concerns of residents

- The rural character of El Dorado County is our most important asset.
- We chose to live here to get away from urban congestion.
- Land should not be rezoned just to benefit a speculator at the expense or detriment of surrounding properties and community.
- New development should fit in with surrounding properties.

# Results from a Lack of Vision







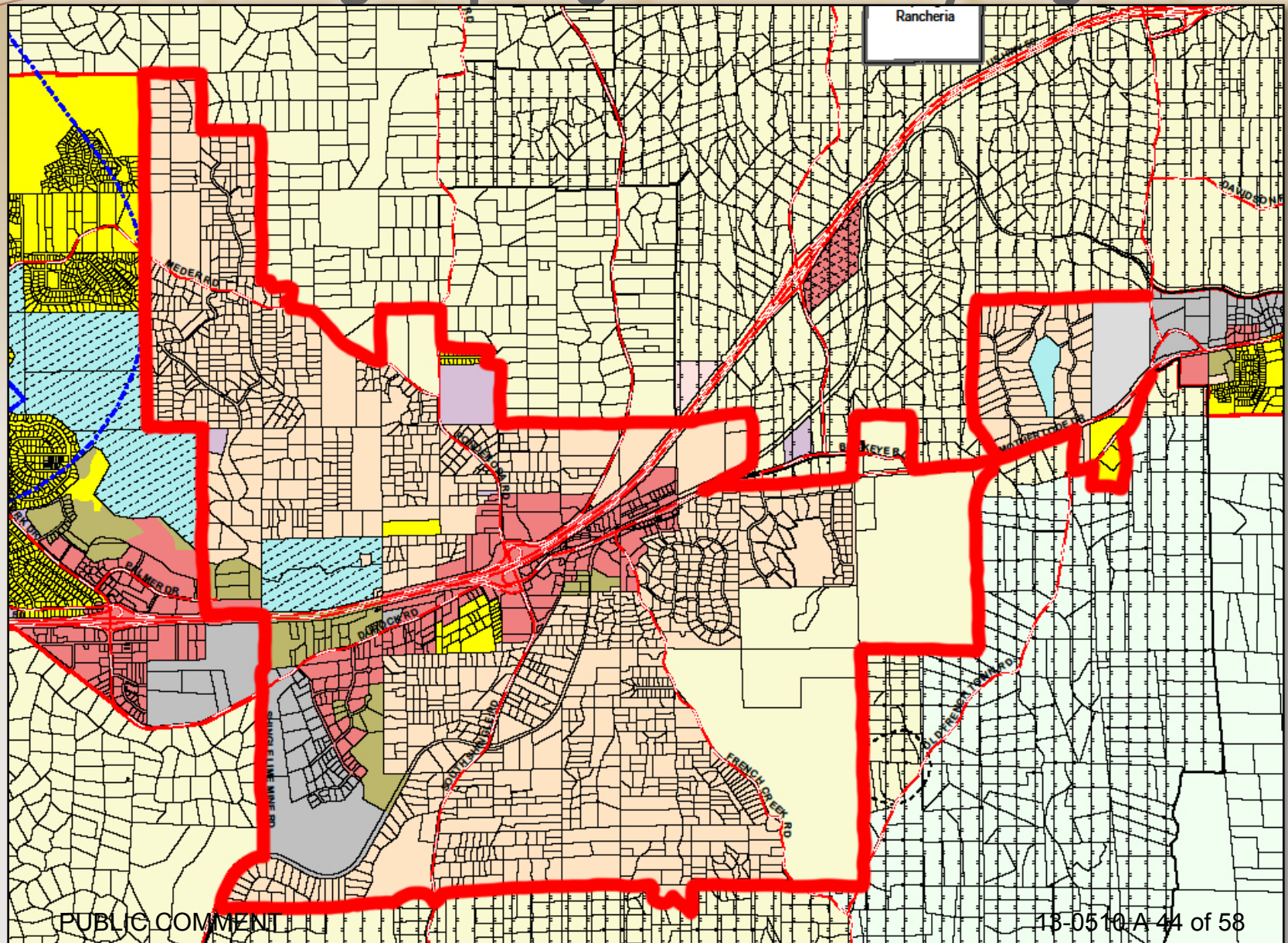
Remember:

“You don’t know what you’ve got ‘til it’s gone.”

Let’s preserve the Shingle Springs Community Identity of peaceful, country homes and ranches on acreage.



# Remove Shingle Springs Community Region Line





May 6, 2013

Ron Briggs, Chairman  
El Dorado County Board of Supervisors  
330 Fair Lane  
Placerville, CA 95667

Via Email

Re: Agenda Item 25  
May 7, 2013 BOS Agenda

Dear Chairman Briggs and Members of the Board:

I represent San Stino, LP, the project applicant for a project located within the Shingle Springs Community Region. This letter is in response to Mr. Ellinwood's letter of April 25, 2013, regarding the above described Agenda item, which asks the Board of Supervisors to initiate the process to "remove the CRL designation for Shingle Springs." Mr. Ellinwood suggests that such an action is a simple act requiring only the making of findings without the benefit of an environmental document. This view ignores the very foundations of the El Dorado County General Plan and completely ignores the processes envisioned in the General Plan.

The General Plan is required by State law to accommodate projected growth within the County. It was recognized at the time of the General Plan's creation that growth would be inevitable and that El Dorado County's historical planning processes would result in further "rural sprawl", disjointed patterns of development and inefficient use of land, wasting resources and available infrastructure systems. Accordingly, the County developed the concept of "regions" incorporating the laudatory elements of compact suburban design to ensure that the County's available infrastructure is efficiently used and the land most amenable to development is designated for growth. This is a foundational concept in the General Plan and many hours of study and debate went into the designation and boundaries of the Community Regions. The environmental studies supporting the General Plan, the findings of approval and subsequent studies for implementation of the various elements of the General Plan are all premised on the designated growth areas, the Community Regions, identified in the General Plan. Mr. Ellinwood would have you cavalierly throw out one of the key Community Regions in the General Plan without environmental review. This ignores the imbalance that would be created in the General Plan and the impacts associated with the necessary relocation

of the growth designated for the Shingle Springs Community Region. It is suggested that such projected growth should be directed to El Dorado Hills or Cameron Park. Such a decision would result in significant impacts on those communities which would not go unnoticed by the neighborhoods impacted by that redirection of growth. Common sense dictates that a removal of a Community Region in the General Plan is a significant step involving a complete re-evaluation of the General Plan and extensive environmental review.

The General Plan contains a process for County-initiated changes to the Community Region Boundaries outlined in Policy 2.9.1.4 – “The boundaries of Community Regions and Rural Centers may be changed and/or expanded every five years through the General Plan review process as specified in Policy 2.9.1.2.” This process has been utilized with the last review by the County being done in 2011. By unanimous action of the Board of Supervisors on April 4, 2011, the Board found that “the basic General Plan Assumptions, Strategies, Concepts and Objectives generally are still valid, or have not changed so drastically that the County would need to consider amending them at this time.” The Board had the opportunity to change or expand the Community Region at that time, and determined that no change was necessary.

The General Plan as it exists today is the result of many years of study, debate, litigation and a favorable vote by the Citizens of the County. It is currently being refined and implementation measures are being developed to complete the process and achieve the goals of the General Plan. This is not the time to essentially gut the General Plan and undo so much of the hard work that has gone on before.

Notwithstanding all of the effort, study and debate that went into designating the growth areas within the County, the fact that a development project in the Community Region has engendered opposition is not surprising. To the contrary, it would be surprising if there was no opposition, particularly in our new world of electronic media. However, there is a process where the rights of a landowner, whether a proponent or opponent, are protected and concerns are addressed. The request on the part of my clients is to be given the opportunity to engage in that process. My client is committed to working with the Shingle Springs community to fully understand the issues and concerns that the community members have with regard to the project. The project as proposed can be modified in a limitless number of ways between now and the hearings where a decision will be made, and it may be that the project that arrives at the hearing

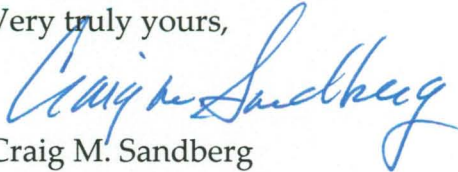


Ron Briggs, Chairman  
El Dorado County Board of Supervisors  
May 6, 2013  
Page 3

will be acceptable to some or even most of those currently opposed. At that time, with the information derived from the EIR, from the professional planning staff, from the applicant, and from the community, the decision-makers will be in a position to make an informed decision about the merits of the proposal.

The decision that this portion of Shingle Springs is appropriate for development has been made through the adoption of the General Plan and the focus now should not be whether growth should occur, but how that growth can be accomplished in a manner which will minimize the impact on the neighboring community and the County's existing infrastructure. The County has a process to achieve this goal which should now be undertaken.

Very truly yours,



Craig M. Sandberg

CMS/ms

cc: Board of Supervisors (via e-mail)  
County Counsel  
Roger Trout

Kathy Ottenberg  
5961 Windy Ridge Rd.  
Shingle Springs, CA 95682

H25  
K. Ottenberg  
public  
comment

I am speaking in support of removal of the currently-drawn Community Region Line for the Shingle Springs area.

I have lived in this area for a number of years, and I am an Environmental Planner by profession. I was not able to become very involved in the changes which resulted in the Community Region Line, and the little bit of reading that I had time to do left me with the impression that a "Community Region" was simply related to postal delivery and the census data-gathering designations.

It was not clear to me that a "Community Region" designation implied 'open season' for developers of high-density and intense-use developments. I believe the same lack of clarity caused a misunderstanding for most Shingle Springs area residents.

With a Planning background, I completely understand the concept of trying to cluster any hi-density, hi-intensity development close to major traffic arteries, and convenient services. However, the Community Region line, as currently drawn, does not really make any sense, in terms of being related to any desire for better 'sustainability' related to traffic and services.

It doesn't really follow Highway 50, but strikes off north and south along winding, narrow rural roads – far from any services. To the south of Highway 50, it appears that it was explicitly drawn to include the proposed San Stino development. This is not following the principles of good land use planning; rather it appears to be following pressure from one outside interest – the investors in the San Stino development.

Even in some of the areas where it follows Hwy 50, it implies that very hi-density/hi-intensity developments could be placed right next to existing Rural Residential areas. This is unfair to those existing residents.

Everyone that I know who lives in the Shingle Springs area has chosen to live there because of the rural environment. The Community Region Line, as currently drawn, does not support that lifestyle. It could have disastrous effects on the property values of current residents, whose property values lie in the rural atmosphere of their property.

Those of us who live here love this area the way it is, and do not want it transformed into a completely different type of community. And, as stated by one Letter to the Editor to the Mountain Democrat, many residents devote a large chunk of their time to El Dorado County volunteer needs – but currently they are having to spend that time fighting to keep Shingle Springs from being transformed into a setting of traffic jams, noise pollution, etc.

Everyone that I've talked to, who is aware of the situation, wants the existing Community Region line removed. We hope that the Supervisors will take seriously the desires of the residents of this area.

Thank you.

Recommendation: improve County website so public can follow process more easily. Examples: search for definition of "El Dorado County Low Density Residential" - 13-0510 A 48 of 58

PUBLIC COMMENT



# El Dorado County Board of Supervisors

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## Request for Agenda Item & Appearance (Ordinance Code 2.06.030)

The Shingle Springs Community Alliance, Stop Tilden Park, and No San Stino, having petitioned the Board of Supervisors to remove the Community Region designation for Shingle Springs and adopt the Rural Center designation for and area designated as Central Shingle Springs, request the following:

That an agenda item be placed on the agenda for the May 14, 2013 Board of Supervisors meeting, including the action requested of the Board, as being the adoption of a resolution of the Board of Supervisors directing the staff of the Development Services Department, Planning Division, to immediately initiate the process for the adoption of an amendment to the El Dorado County General Plan to do the following:

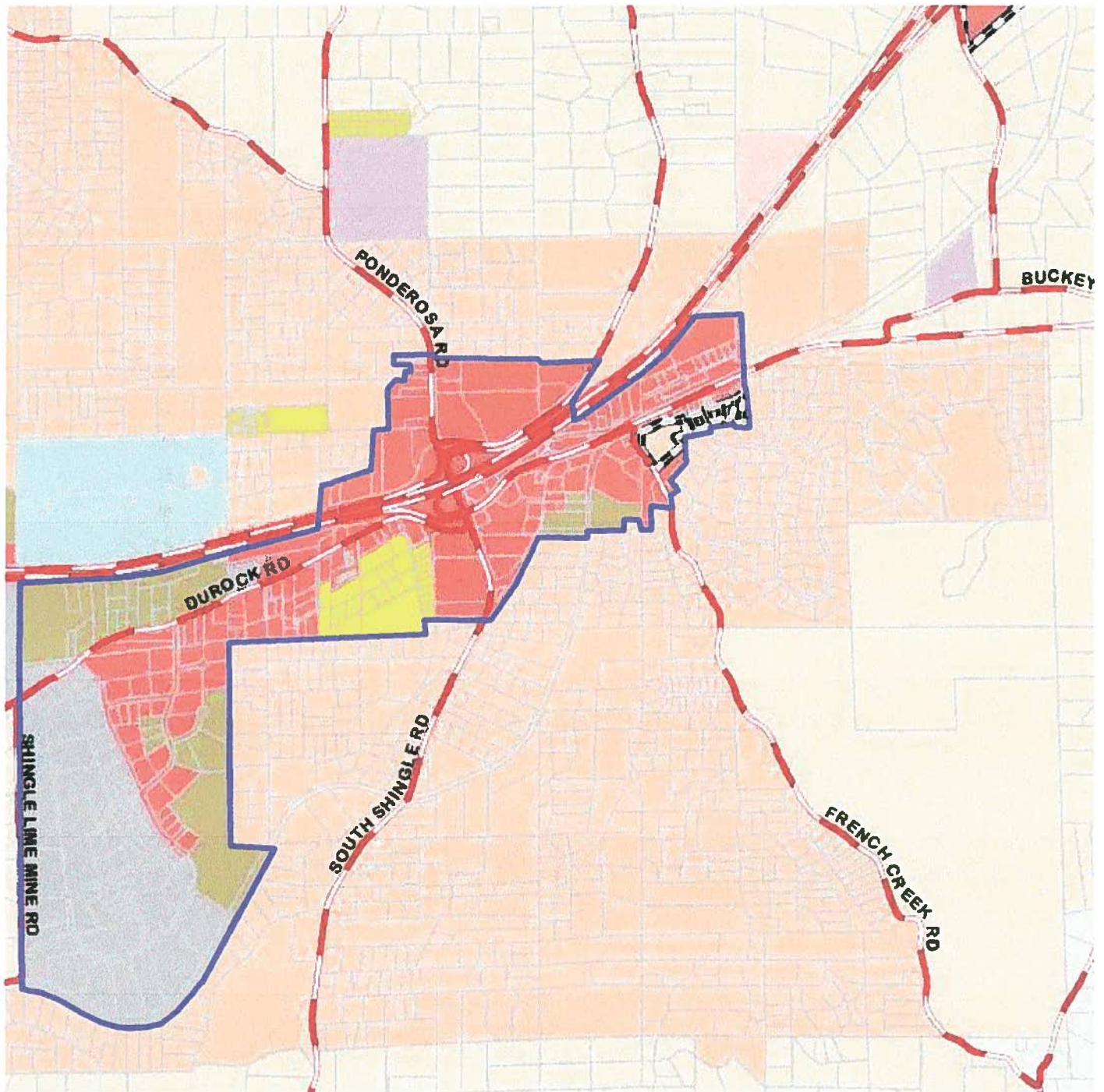
1. Remove Shingle Springs from the list of Community Regions in Land Use Element Policy 2.1.1.1;
2. Add Central Shingle Springs to the list of Rural Centers in Land Use Element Policy 2.1.2.1;
3. Amend the Land Use Map to remove the Community Region Line for Shingle Springs and replace it with the Central Shingle Springs Rural Center boundary line as shown on Exhibit "A".

Documentary Information and Supporting Material for the request:

- A. A petition signed by over 570 residents of Shingle Springs and El Dorado County requesting removal of the Shingle Springs Community Region Line.
- B. The predominance of 1 - 10-acre residentially developed parcels in the Shingle Springs area outside of the Central Shingle Spring Rural Center area, makes development of higher intensity urban and suburban type residential development inconsistent and incompatible with the land use pattern and rural residential character of the Shingle Springs community.
- C. The existing road infrastructure and impacted intersections at the Ponderosa Overcrossing and Mother Lode Drive and South Shingle Springs Drive will not support additional traffic impacts that would result from additional high density residential and high-traffic-generating development. Given the location of high use destinations such

## Central Shingle Springs Rural Center Area Map

Boundary shown with Blue Line



Outline of Process to Amend General Plan  
for Removal of Shingle Springs as Community Region  
and Designation of Central Shingle Springs as Rural Center

I. Board Adopts Resolution Directing Staff to Initiate General Plan Amendment Process and Referral to Planning Commission for Recommendation.

II. Staff Conducts Preliminary Review / Initial Study of Proposed Action for CEQA

A. Determine if Common Sense Exemption (14 Cal. Admin. Code § 15061 (b)(3)) applies.

1. Prepare written analysis as to why it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment; OR,

B. Prepare Initial Study and Proposed Negative Declaration

1. Complete CEQA Checklist

2. Draft Proposed Negative Declaration

3. File, Publish and Post Notice of Intent to Adopt Negative Declaration

III. [Optional] If Staff Determines Amendment is "Substantial," Prepare a Notice of Proposed Amendment to:

A. Special Districts that may be significantly affected:

1. El Dorado Irrigation District

2. Fire Districts

3. Hillwood Community Services District

4. Holiday Lakes Community Services District

5. Any Other Special Districts

B. School Districts

1. High School District

2. Buckeye Elementary School District

C. El Dorado County Local Agency Formation Commission

D. Sacramento Area Council of Governments

E. Above agencies has 45 days to comment from date of mailing

F. California Native American tribes with traditional lands located within El Dorado County (90 days for tribe to request consultation).

IV. Planning Commission Hearing on Proposed Amendment

- A. Publish and Post Notice of Hearing on Proposed Negative Declaration (if applicable) and Proposed General Plan Amendment at least 10 days prior to hearing.
  - B. Conduct Public Hearing.
  - C. Prepare and Submit Written Recommendation to Board of Supervisors within 45 days.
- V. Board of Supervisors Hearing on Proposed Amendment (to be scheduled at least 90 days after notice to California Native American tribes).
- A. After Receipt of Planning Commission's Written Report, or 45 days after referral of the proposed amendment by the Board to the Commission, whichever is shorter; Publish and Post Notice of Hearing on Proposed Negative Declaration (if applicable) and Proposed General Plan Amendment at least 10 days prior to hearing.
  - B. Conduct Public Hearing.
  - C. (If applicable) adopt Negative Declaration.
  - D. Approve Amendment by Resolution.



- DRAFT -



## RESOLUTION NO.

### OF THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO

**WHEREAS**, the County of El Dorado is mandated by the State of California to maintain an adequate and proper General Plan; and

**WHEREAS**, because of that mandate El Dorado County's General Plan and the various elements thereof must be continually updated with current data, recommendations, and policies; and

**WHEREAS**, residents of the Shingle Springs community have petitioned the Board of Supervisors to remove the Community Region designation for Shingle Springs and adopt the Rural Center designation for an area designated as Central Shingle Springs on the map attached hereto as Exhibit "A"; and

**WHEREAS**, the Development Services/Planning Services Department and the Planning Commission, after conducting a public hearing, have made recommendations to the Board of Supervisors regarding the potential amendments of the Land Use Element of the General Plan as requested by the residents of Shingle Springs; and

**WHEREAS**, the Board of Supervisors has reviewed and held public hearings on the recommended amendments to the land use element; and

**WHEREAS**, the Board of Supervisors finds that the proposed amendments to the General Plan are consistent with all elements of the General Plan not otherwise amended.

**NOW, THEREFORE, BE IT RESOLVED** that the County of El Dorado Board of Supervisors hereby approves and accepts the environmental documents on the following amendments to the General Plan, and approves and adopts the following amendments to the General Plan based on the findings and reasons set forth in the staff reports and Planning Commission's recommendations, except as may be noted herein:

1. Policy 2.1.1.1

The Communities within the County are identified as: Camino/Pollock Pines, El Dorado Hills, Cameron Park, El Dorado, Diamond Springs, ~~Shingle Springs~~, and the City of Placerville and immediate surroundings.

2. Policy 2.1.2.1

The Rural Centers within the County are identified as: Coloma, Cool, Fairplay, Garden Valley, Greenwood, Georgetown, Grey's Corner, Grizzly Flat, Kelsey, Kyburz, Latrobe, Little Norway, Lotus, Mosquito, Mount Ralston, Mt. Aukum, Nashville, Oak Hill, Phillips, Pilot Hill, Pleasant Valley, Quintette, Rescue, Central Shingle Springs, Somerset, Strawberry, and Chrome Ridge.

- DRAFT -

3. The boundary of the area designated as Central Shingle Springs is illustrated in Exhibit "A" attached hereto, which shall be incorporated in the Land Use Map of the El Dorado County General Plan.

PASSED AND ADOPTED by the Board of Supervisors of the County of El Dorado at a regular meeting of said Board, held the \_\_\_\_ day of \_\_\_\_\_, 2013, by the following vote of said Board:

Ayes:  
Noes:  
Absent:

Attest:  
James S. Mitrison  
Clerk of the Board of Supervisors

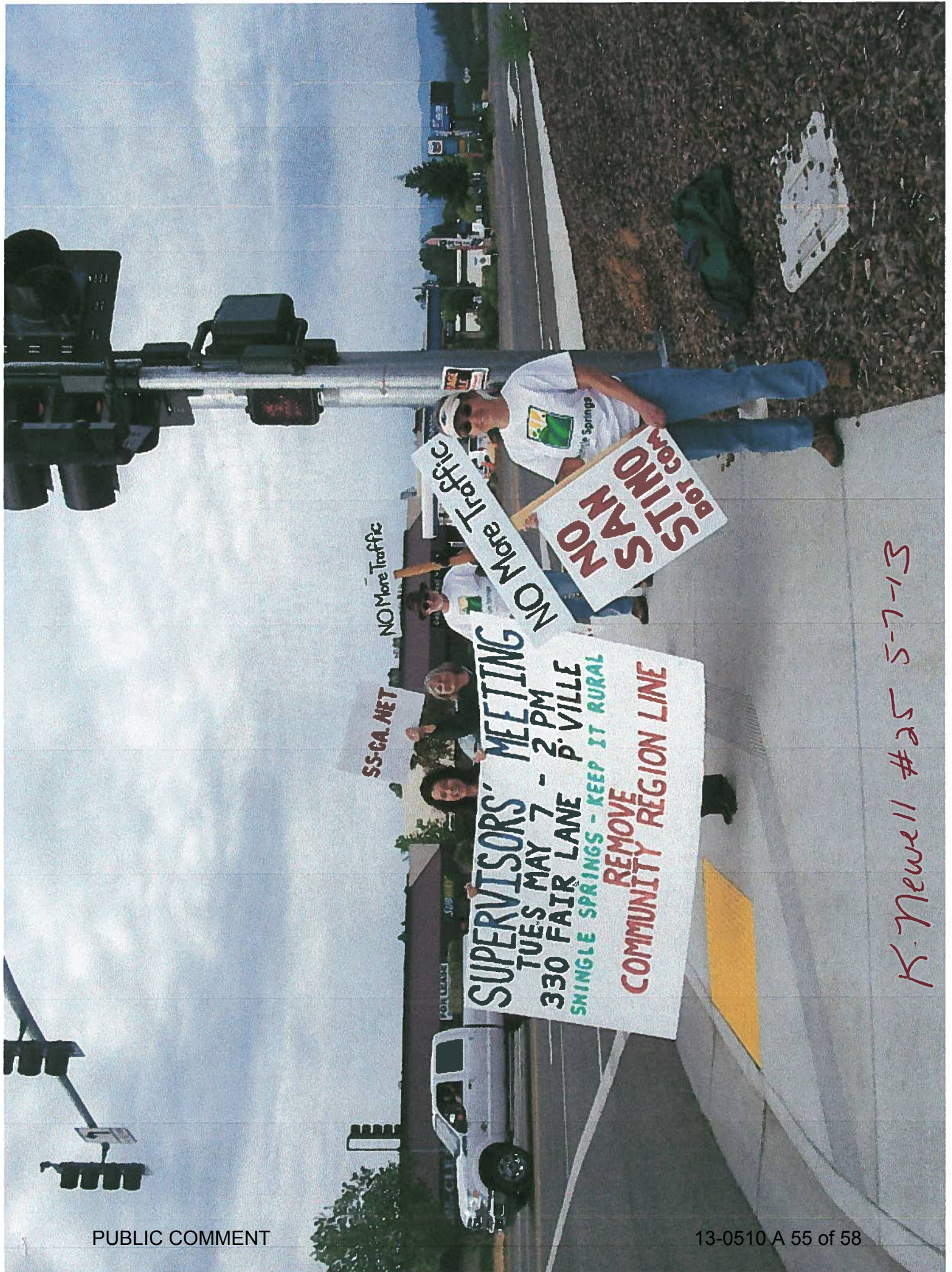
By: \_\_\_\_\_  
Deputy Clerk                      Chairman of the Board of Supervisors

I CERTIFY THAT:  
THE FOREGOING INSTRUMENT IS A CORRECT COPY OF THE ORIGINAL ON FILE IN  
THIS OFFICE.

Attest: James S. Mitrison, Clerk of the Board of Supervisors of the County of El Dorado, State of  
California.

By: \_\_\_\_\_ Date: \_\_\_\_\_  
Deputy Clerk





K-Newell #25 5-7-13







May 8, 2013

Honorable Ron Mikulaco  
Honorable Ray Nutting  
Honorable Brian Veerkamp  
Honorable Ron Briggs  
Honorable Norma Santiago

RE: Shingle Springs CRL Discussion and trust issues

As I got up to speak at the May 7 meeting regarding the Shingle Springs Community Region Line, I got caught in the “cross-fire” of who would speak last. Ultimately, I was unable to speak because my ride needed to leave. However I want to share with you what I would have said, and then to make you aware of the behavior I witnessed in the lobby by someone who I believe is a County employee.

What I would have said if time had permitted:

1. The attorney for the San Stino project spoke about how this land was picked for development at the level they originally proposed because it was in the CRL. This underscores what many participants at the meeting said – the CRL is a TARGET that needs to be removed. Please remove this line. The arguments that Shingle Springs needs to contribute to the overall growth of the County and that land owners should be able to develop their land to gain the profit that they want for their cushy retirements leads directly to my next two points –
2. Shingle Springs has already contributed enough to the growth of the County. There is high density housing near the Business Park on Durock Road and on Meder Road east of the Cameron Park Airport. In addition, the Casino plans to provide hotel accommodations in the near future. There is already a “central” area of a variety of stores and business space available in addition to several spaces available in the Business Park. All of that is enough of a contribution to supporting our “fair share” of El Dorado County residents and businesses. The rest of Shingle Springs should remain rural and very low density development. Removing the CRL will help ensure that.
3. For those who believe that property owners should be allowed to “make their profit”, I want to strongly state that those who bought land on a speculative basis did so with an assumed risk. Existing residents do not owe these property owners a profit anymore than anyone owes me for any losses I incur if I don’t manage my stock portfolio profitably.

Now for the disturbing scene I witnessed in the lobby as I was leaving. If you are true to the words you spoke about wanting to develop trust with the community residents, then please read on. If it was purely lip-service, then don’t bother with the rest of my letter.

As Mr. Craig Sandberg (sp) was recounting to the Board how he has been involved in the ongoing planning process for many years, Mr. Davis Livingston\* walked up to Mr. Art

Marinnacio in the lobby and said to him “We’re taking notes on what this guy says.” in a tone that implied that this was the only part of what was presented during the meeting that they would pay attention to.

I was appalled!! After all the community members spoke, this county employee, paid by the tax dollars of those same community members, vocally dismissed what the community speakers had to say and basically told Mr. Marinnacio that the developer interests are more important than what the residents have to say and not to worry. Since County staff take their direction from the Board of Supervisors, this reflects directly upon you.

I thought you should know this so you can understand why the community has trouble trusting County representatives. If this is how staff behave, how can the general public trust you? I do hope you were sincere in your statements about wanting to develop trust by truly listening to the citizens of Shingle Springs that came to speak to you and that this employee is one who just hasn’t “gotten the message” yet. But until some proactive action is taken by you, the distrust lingers.

However, I do appreciate the time you all devoted to this important topic on May 7, so I want to say thank you. But, please don’t let it stop there. If you would like to discuss any of these points, please feel free to contact me.

Sincerely,  
Penny Howard  
3987 Welker Lane  
Shingle Springs, CA 95682  
530-676-2029

\* An additional example of County employee disrespect of the public that makes it hard to trust you:

I tried to confirm that the person I saw was indeed Mr. Livingston by going to the County Counsel’s office on May 8. I arrived at 1:05pm to a locked office. (it’s supposed to open at 1:00pm after lunch) I requested help from The County Clerk receptionist, who went next door. A few minutes later, a woman asked who I wanted to see, but left me in the hallway still facing the locked door. At 1:15pm a gentleman came out and said that they were closed until 1. I informed him of the time and he chuckled and walked out of the building, again leaving me in the hallway facing the locked door. At 1:20pm, a Human Resources staff person was able to get someone to open it. At that point, I was met by a receptionist who tried very hard to help me, but she was truncated by a very curt and disrespectful woman with shoulder length gray hair. She asked me who I was, I gave her my name, and then she said, “No, who ARE you?” I responded that I was a person trying to match a name to a face in an attempt to get the right person. She clearly didn’t care about my concerns. I felt very disrespected.