



# County of El Dorado

Planning and Building  
Department  
2850 Fairlane Court  
Placerville CA 95667  
www.edcgov.us  
phone:530-621-5355  
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## Minutes - Draft Planning Commission

*Andy Nevis, Chair, District 4*  
*Kris Payne, First Vice-Chair, District 2*  
*Daniel Harkin, Second Vice-Chair, District 5*  
*Brandon Reinhardt, District 1*  
*Lexi Boeger, District 3*

*Aurora Osbual, Clerk of the Planning Commission*  
*Karen L. Garner, Executive Secretary*

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Thursday, September 28, 2023

8:30 AM

<https://edcgov-us.zoom.us/j/82805742390>

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2850 Fairlane Court, Building C, Hearing Room  
Placerville, CA  
OR  
Live Streamed

**PUBLIC PARTICIPATION INSTRUCTIONS:** In accordance with new guidance from the California Department of Public Health, the meeting room will be open to the public. The meeting will continue to be live-streamed via Zoom.

Members of the public may address the Commission in-person or via Zoom to make a public comment. Seating is limited and available on a first-come, first-served basis. The public should call into 530-621-7603 or 530-621-7610. The Meeting ID is 828 0574 2390. Please note you will not be able to join the live-stream until the posted meeting start time. Although the County strives to offer remote participation, be advised that remote Zoom participation is provided for convenience only. In the event of a technological malfunction, the only assurance of live comments being received by the Commission is to attend in person. Except for a noticed teleconference meeting, the Planning Commission reserves the right to conduct the meeting without remote access if there is a malfunction.

To observe the live stream of the Planning Commission meeting go to <https://edcgov-us.zoom.us/j/82805742390>

If you are joining the meeting via Zoom and wish to make a comment on an item, press the "raise a hand" button. If you are joining the meeting by phone, press \*9 to indicate a desire to make a comment. Speakers will be limited to 3 minutes.

By participating in this meeting, you acknowledge that you are being recorded.

If you choose not to observe the Planning Commission meeting but wish to make a comment on a specific agenda item, please submit your comments to the Clerk of the Planning Commission at [planning@edcgov.us](mailto:planning@edcgov.us). Planning Services cannot guarantee that any public comment received the day of the Commission meeting will be delivered to the Commission prior to any action.

The Clerk and Planning staff is here to assist you, please call 530-621-5355 if you need any assistance with the above directions to access the meeting.

Planning Commission video recordings, Agendas, Staff Reports, Supplemental Materials and Minutes are available on the internet at: <http://eldorado.legistar.com/Calendar.aspx>

The County of El Dorado is committed to ensuring that persons with disabilities are provided the resources to participate in its public meetings. If you require accommodation, please contact the Clerk to the Planning Commission at 530-621-5355 or via e-mail, [planning@edcgov.us](mailto:planning@edcgov.us).

All Planning Commission hearings are recorded via Zoom Webinar and available for Live Web Streaming on the internet (follow instructions listed under the Public Participation Instructions in this agenda). A video recording of this meeting will be published to the website.

The Planning Commission is concerned that written information submitted to the Planning Commission the day of the Commission meeting may not receive the attention it deserves. Planning Services cannot guarantee that any FAX, email, or mail received the day of the meeting will be delivered to the Commission prior to action on the subject matter.

For purposes of the Brown Act, Section 54954.2(a), the numbered items on this agenda give a brief description of each item to be discussed. Recommendations of the staff, as shown, do not prevent the Commission from taking other action.

Staff materials related to an item on this agenda submitted to the Commission after distribution of the agenda packet are available for inspection during normal business hours in Planning Services located at 2850 Fairlane Court, Placerville, CA. Such documents are also available on the Commission's Meeting Agenda webpage subject to staff's ability to post the documents before the meeting.

**PROTOCOLS FOR PUBLIC COMMENT:**

Public comment will be received at designated periods as called by the Commission Chair.

Except with the consent of the Commission, individuals shall be allowed to speak to an item only once.

Matters not on the agenda may be addressed by the general public during Public Forum/Public Comment. Comments during Public Forum/Public Comment are limited to three minutes per person. The Commission reserves the right to waive said rules by a majority vote. Public Forum/Public Comment is for comment only. No action will be taken on these items unless they are scheduled on a future agenda.

Public testimony will be received on each agenda item as it is called. Individuals will have three minutes to address the Commission. At the discretion of the Commission, time to speak on an item may be extended or shortened for all speakers.

Upon completion of public comment on an agenda item, the matter shall be returned to the Commission for deliberation. Members of the public shall not be entitled to participate in that deliberation, or be present at the podium during such deliberation, except at the invitation of the Commission for a point of clarification or question by the Commission.

Individual Commission members may ask clarifying questions but will not engage in substantive dialogue with persons providing input to the Commission.

If a person providing input to the Commission creates a disruption by refusing to follow Commission guidelines, the Chair of the Commission may take the following actions:

Step 1. Request the person adhere to the Commission guidelines. If the person refuses, the Chair may ask the Clerk to turn off the speaker's microphone.

Step 2. If the disruption continues, the Chair may order a recess of the Commission meeting.

Step 3. If the disruption continues, the Chair may order the removal of the person from the Commission meeting.

8:30 A.M.

**CALLED TO ORDER / ROLL CALL**

**Meeting was called to order at 8:30 a.m. by Chair Nevis.**

**Present:** 4 - Commissioner Boeger, Commissioner Harkin, Commissioner Payne and Commissioner Nevis

**Absent:** 1 - Commissioner Reinhardt

**PLEDGE OF ALLEGIANCE TO THE FLAG**

**Chair Nevis led the Pledge of Allegiance to the Flag.**

**ADOPTION OF AGENDA AND APPROVAL OF THE CONSENT CALENDAR**

**(All items on the Consent Calendar are to be approved by one motion unless a Commission member requests separate action on a specific item.)**

**A motion was made by Commissioner Payne, seconded by Commissioner Boeger, to Adopt the Agenda and Approve the Consent Calendar with no changes.**

**Yes:** 4 - Commissioner Boeger, Commissioner Harkin, Commissioner Payne and Commissioner Nevis

**Absent:** 1 - Commissioner Reinhardt

**CONSENT CALENDAR**

- 1. [23-1697](#) Clerk of the Planning Commission recommending the Commission approve the MINUTES of the regular meeting of August 24, 2023.

**This item was Approved on the Consent Calendar.**

**Yes:** 4 - Commissioner Boeger, Commissioner Harkin, Commissioner Payne and Commissioner Nevis

**Absent:** 1 - Commissioner Reinhardt

**END OF CONSENT CALENDAR**

**TO AND FROMS: Commission members may make a brief report on commissioner districts, committee meetings, department matters or make a brief announcement on matters of countywide concern (May be called at any time during the meeting)**

**Commissioner Boeger reported on the following:  
The Transportation Commission survey on fire evacuation study.**

**Commissioner Payne reported on the following:  
Amnesty process on code violations.  
Construction happening around parts of El Dorado County.  
Diamond Springs Parkway construction.**

**Chair Nevis reported on the following:  
Creekside proposed project scoping meeting.  
Approval of a stoplight on Green Valley Road.**

**Robert Peters, Deputy Director of Planning, reported on the following:  
October 12, 2023 Planning Commission meeting cancellation.  
The two appeals on Commercial Cannabis Use Permit And Variance to be heard at the Board of Supervisors meeting on October 10, 2023.  
Rizzuto General Plan Amendment to be heard at the Board of Supervisors meeting on October 10, 2023.**

**Jefferson Billingsley, Deputy County Counsel, reported on the following:  
Cannabis ROI tentatively scheduled on the Board of Supervisors agenda on October 17, 2023.**

**PUBLIC FORUM / PUBLIC COMMENT**

Public Forum/Public Comment will be heard after the consent calendar. If there are a large number of public participants, the public comment portion may be continued and conclude in a later portion of the meeting.

**AGENDA ITEMS**

- 2. [23-1698](#) Hearing to consider Tyler Master Bedroom (Conditional Use Permit CUP23-0005) request to add 525 square feet of dwelling space to a legal but non-conforming residence in the Community Commercial - Design Control (CC-DC) zone district. The property, identified by Assessor’s Parcel Number 104-260-011, consisting of 2.07 acres, is located on the west side of Salmon Falls Road, approximately 1,000 feet northeast of the intersection with State Highway 49, in the Pilot Hill area, submitted by Tyler Hanna; 1) Find the project Exempt from CEQA pursuant to Section 15301(e)(1) (Small Addition); 2) Find the change or expansion of the nonconforming use will not have a negative impact on the surrounding conforming uses and the area overall pursuant to Zoning Ordinance Section 130.61.050(D)(2); and 3) Approve Conditional Use Permit CUP23-0005 based on the Findings and subject to the Conditions of Approval as presented. (Supervisory District 4)

**Chair Nevis opened the public hearing and upon conclusion of public comment and staff input, closed the public hearing.**

**A motion was made by Chair Nevis, seconded by Commissioner Boeger, to:**  
**1) Find the project Exempt from CEQA pursuant to Section 15301(e)(1) (Small Addition);**  
**2) Find the change or expansion of the nonconforming use will not have a negative impact on the surrounding conforming uses and the area overall pursuant to Zoning Ordinance Section 130.61.050(D)(2); and**  
**3) Approve Conditional Use Permit CUP23-0005 based on the Findings and subject to the Conditions of Approval as presented.**

**Yes:** 4 - Commissioner Boeger, Commissioner Harkin, Commissioner Payne and Commissioner Nevis

**Absent:** 1 - Commissioner Reinhardt

**ADJOURNED**

**Meeting was adjourned at 9:40 a.m. by Chair Nevis.**

All persons interested are invited to participate remotely (following instructions listed under the Public Participation Instructions in this agenda) and be heard or to write their comments to the Planning Commission. If you challenge the application in court, you may be limited to raising only those items you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Commission at, or prior to, the public hearing. Any written correspondence should be directed to Planning Services; 2850 Fairlane Court; Placerville, CA 95667.