

**FROM THE MINUTES OF MAY 22, 2008**

**8. GENERAL PLAN AMENDMENT/REZONE/TENTATIVE PARCEL MAP**

(Public Hearing)

**A08-0004/Z07-0026/P07-0025** submitted by WESLEY HAGSTROM (Engineer: Carlton Engineering, Inc.) to amend the General Plan land use designation from Rural Residential (RR) and Commercial (C) to Rural Residential (RR); rezone the same property from Estate Residential Ten-acre (RE-10), Estate Residential Five-acre (RE-5), Commercial (C), and Exclusive Agricultural (AE) to Estate Residential Ten-acre (RE-10); and tentative parcel map creating four lots ranging in size from 20 to 49 acres with a design waiver request to allow the development to be served by a dead-end road exceeding 2,640 feet in length. The property; identified by Assessor's Parcel Number 104-100-67, consisting of 129.43 acres, is located on the north side of Rattlesnake Bar Road, approximately 5.0 miles southwest of State Route 49, in the **Pilot Hill area**, Supervisorial District IV. (Mitigated negative declaration prepared)

Pierre Rivas introduced Gordon Bell, contract planner, who recommended approval to the Board of Supervisors.

Chair Tolhurst asked why this property was designated Commercial. Mr. Rivas commented it was adopted with the Area plan and carried through with the adoption of the current General Plan.

Eileen Crawford, Department of Transportation, proposed modification to Conditions 15, 16, 20, and 23.

Commissioner Machado asked for clarification on the access. Mr. Bell explained. Commissioner Machado asked about the linear feet of fencing. Mr. Bell said the building envelopes will restrict the fencing.

Commissioner Machado asked about the IBC. A biological study was prepared on this property, and nothing was found. He asked what plants are being protected. Mr. Rivas does not believe any plants are being protected. It is the migration of wildlife.

Peter Maurer said staff will be going back to the Board next month with an update on the INRMP and the IBC.

Commissioner Mac Cready said they are only going to be 20-acre parcels. Why ask for ten-acre zoning? Mr. Bell commented the surrounding zoning is ten-acre, and the proposed zoning would be consistent with that zoning. Because of the topography and required road improvements, it does not appear you could split the parcels further.

Ted Woessner thanked the County for allowing a contract planner to process this project. The majority of the property is already ten-acre. Unless there are substantial improvements made to Rattlesnake Bar Road, there could not be further divisions.

Don Denault, resident in the area, said Rattlesnake Bar Road does not provide safe passage at the present time. He believes it would be poor policy to approve more parcel splits on this road until the road is improved. Rattlesnake Bar Road cannot be brought up to fire safe standards without a lot of money. There have been a lot of trees already removed on the property. Mr. Renault does not believe it will be a responsible project and does not believe it should be approved.

There was no further input.

Commissioner Machado believes the project improves some of the fire safe hazards in the area.

**MOTION: COMMISSIONER KNIGHT, SECONDED BY COMMISSIONER MACHADO AND CARRIED BY THE FOLLOWING VOTE: AYES – COMMISSIONERS KNIGHT, MAC CREADY, MACHADO, AND TOLHURST; NOES – COMMISSIONER MATHEWS, IT WAS MOVED TO FORWARD A RECOMMENDATION THAT THE BOARD OF SUPERVISORS TAKE THE FOLLOWING ACTION: 1. ADOPT THE MITIGATED NEGATIVE DECLARATION, AS PREPARED; 2. APPROVE A08-0004 CHANGING THE LAND USE DESIGNATION ON ASSESSOR’S PARCEL NUMBER 104-100-67 FROM RURAL RESIDENTIAL (RR) AND COMMERCIAL (C) TO RURAL RESIDENTIAL (RR), BASED ON THE FINDINGS PROPOSED BY STAFF; 3. APPROVE Z07-0026 REZONING THE SAME PROPERTY FROM ESTATE RESIDENTIAL TEN-ACRE (RE-10), ESTATE RESIDENTIAL FIVE-ACRE (RE-5), COMMERCIAL (C), AND EXCLUSIVE AGRICULTURAL (AE) TO ESTATE RESIDENTIAL TEN-ACRE (RE-10), BASED ON THE FINDINGS PROPOSED BY STAFF; AND 4. APPROVE P07-0025 BASED ON THE FINDINGS PROPOSED BY STAFF, SUBJECT TO THE CONDITIONS AS MODIFIED.**