

**LATE DISTRIBUTION**DATE 11/12/15
BOS 11/12/15

EDC COB <edc.cob@edcgov.us>

Targeted General Plan Amendment and Zoning Ordinance Update

1 message

Jim Copeland <jimcope@comcast.net>

Tue, Nov 10, 2015 at 11:47 AM

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

Dear Board Members and Clerk of the Board:

I'm writing to encourage you to adopt the Targeted General Plan Amendment and Zoning Ordinance Update as presented by staff.

As you know, this has been many years in development and has been coordinated by an extremely capable Planning Department staff member, Shawna Purvines.

It is significant to note that a broad cross-section of informed members of the community and public agencies have contributed to this balanced and well-researched effort. Contributing members included biologists, land planners, environmentalists, recreational representatives, police and fire agencies, transportation planners, farmers, ranchers, general engineering companies, landscape architects, the business community, churches, engineers, attorneys, architects, contractors, hydrology experts and foresters. In addition, the environmental review has been completed by one of the top consultants in the country and there has been thorough public input throughout the process.

There will be a vocal minority of 30-40 people who will continue to attack the ZOU update, who continue to spread half-truths about the effort and use fear tactics to thwart any forward movement. They will never be satisfied and have stifled the process from the beginning.

I urge you to do the right thing and approve the Zoning Ordinance Update as recommended by staff.

Respectfully,

Jim Copeland

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CA 95667

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Targeted General Plan Amendment & Zoning Ordinance Update (TGPA-ZOU)

1 message

Bryan Chaix <bryanchaix@hotmail.com>

Tue, Nov 10, 2015 at 3:49 PM

Cc: "shiva@electshiva.com" <shiva@electshiva.com>, "bostwo@edcgov.us" <bostwo@edcgov.us>, "edc.cob@edcgov.us" <edc.cob@edcgov.us>, dad&bonnie <tmd-bratman@nccn.net>, Uncle Dave Chaix <dmc347@sbcglobal.net>, Dave Chaix <dmc402@att.net>

Dear Ms. Frentzen,

I am writing to you because only this morning, I became aware of the County's "Targeted General Plan Amendment & Zoning Ordinance Update (TGPA-ZOU)," and how it may potentially impact my neighborhood.

For background: my family has owned more than 350 acres in the (outer) Latrobe area for more than 100 years, including a 160-acre Homestead Patent recorded in 1888. Specifically, I own more than 38% of APN 087-040-11-100, a 120-acre parcel which my family purchased in 1902.

According to the Parcel Inquiry tool located at:

http://www.edcgov.us/Government/LongRangePlanning/LandUse/TGPA-ZOU_Main.aspx

The minimum lot size for land I own appears to be proposed to change from 40 acres to 10 acres.

I'm very concerned that this specific (proposed) change would constitute a **drastic** impact to the neighborhood in a way which will **not** benefit the community.

Would you be willing to meet with me in person to help me understand what I missed, listen to what I see as the (proposed) damage to the unique character of our neighborhood, and brainstorm what can be done to correct or mitigate the damage? I apologize for not being aware previously, but now that I am, (as your constituent,) I'm counting on you to help me preserve the long-standing character of the Clark Creek, Little Indian Creek, and Big Canyon / Agra Districts, and El Dorado County's Supervisorial District 2 in general.

Thank you,

-Bryan Chaix.

Public Comment, follow up to BOS meeting 11/10/15 TGPA/ZOU - Van Dyke

Dear Supervisors:

This is a follow up to yesterday's (Tuesday 11/10) Board hearing of the TGPA/ZOU -

1. Please have consultant Terry Rivasplatt clarify/correct the statement he made saying that the significant and unavoidable impacts are all attributable to the 2004 General Plan, and not the Project. That is not what the statement of overriding considerations says.

SIGNIFICANT AND UNAVOIDABLE IMPACTS		
<p>The Project amends the General Plan and enacts a new Zoning Ordinance. The TGPA also includes a number of site-specific general plan amendments undertaken to fix mapping errors. In addition, to ensure that zoning is consistent with the General Plan as required by Government Code Section 65860, the County is rezoning individual parcels that were previously inconsistent with the General Plan's land use designations. In light of the development expected to occur from implementation of the General Plan, as amended, and the ZOU, the EIR identifies 38 significant environmental impacts that cannot be mitigated to a less-than-significant level, including 10 instances where the project's contribution to a cumulative impact is substantial. These impacts are listed below and briefly described by the Final EIR chapter in which they are found and the impact number.</p>		
El Dorado County TGPA/ZOU CEQA Findings	1	August 2015
EXHIBIT A-2		11-0356 16D 3 of 15

As a result of this project- the TGPA/ZOU - Supervisors are being asked to accept 38 significant and unavoidable negative impacts on our County.

2. Supervisor Novasel asked if there were groundwater impacts, at which point Mr. Rivasplatt responded yes but "*the change is miniscule*". From the Final EIR table ES-1, the project's impacts on water are described such that *if this project is approved, there is not adequate groundwater for permits that have already been issued.* This would not indicate a "miniscule" difference in impacts.

Again, you are being asked to accept this impact of the project for the entire County, and it is being downplayed to you and the public.

3.10 Water Supply			
WS-1: Create a need for new or expanded entitlements or resources for sufficient water supply	S	None	SU
WS-2: Substantially deplete groundwater supplies or interfere substantially with groundwater recharge, resulting in a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level that would not support existing land uses or planned uses for which permits have been granted)	S	None	SU

3. It is unfortunate that any Supervisors were offended that our attorney was in attendance to help them understand the seriousness of our issues. In spite of hundreds of pages of sincere comments by RCU, and our participation throughout the process, the Planning Commission did not discuss the responses in the Final EIR, and *we are very concerned*.

Mr. Infusino was there with a draft of our petition for writ. He specifically noted that this is the *less* desirable alternative to pursuing the issue resolution suggested by RCU. We had planned to have Mr. Infusino attend on Friday and would hope you see him as a positive resource rather than an insult.

And finally, Mr. Pedretti provided an opening introduction to Tuesday's hearing that served to divide us and blatantly discourage compromise. We are hoping to work things out or we wouldn't have been attending all these meetings and submitting comments. But our comments seem to just disappear into a black hole.

Members of the agricultural community comprise the largest support for this project. The ZOU provides them with multiple exemptions to standards and a wonderful expansion of uses, and when they request that staff address a parcel change, they get a constructive response; yes the Ag community is pretty happy. By contrast, serious conflicts due to ZOU rezoning *outside* the Ag districts (i.e. in the Community Regions) are met with resistance, and the effort to preserve rural lands is clearly being made at the expense of residents in the Community Regions.

No one actually needs to be thrown under the bus here. We have suggestions for issue resolution that are not being heard, with a list that probably got lost in the hoards of documents posted. We'll bring copies for Thursday's hearing.

Ellen & Don Van Dyke
Rescue

**LATE DISTRIBUTION**DATE 11/12/15
BOS 11/12/15

EDC COB <edc.cob@edcgov.us>

Re: 11-0356 / HEARING - TGPA/ZOU Hearing

2 messages

Monique Wilber <monique.w@comcast.net>

Thu, Nov 12, 2015 at 9:15 AM

To: edc.cob@edcgov.us, BOSDist1 <bosone@edcgov.us>, bostwo@edcgov.us, bosthree@edcgov.us, bosfour@edcgov.us, bosfive@edcgov.us

Dear Supervisors:

I am a resident of Shingle Springs and my family has lived here since 2001. I am a former Sr. Planner for El Dorado County that worked on the General Plan implementation team and I was the project manager on the Oak Woodland Management Plan and Integrated Natural Resources Management Plan. I would like to make a general comment as to the process of the TGPA/ZOU and my observations on the process that I saw on Tuesday, November 10, 2015. I took a vacation day from work to come speak on Tuesday, however, I cannot attend today or tomorrow as I'm traveling overnight for state government work to facilitate an evening meeting so that citizens can be heard about impending regulation. Tomorrow, I'll be in the office compiling those notes from multiple meetings so that program staff can include citizen suggestions into their draft proposals.

Here is what I've seen in the process for the past eight years.

I feel very strongly that El Dorado County's process has been about accommodating the needs of developers, including those developers and their boosters (including agriculture and the Chamber of Commerce) into committees such as CEDAC and sub committees such as Regulatory Reform, and excluding citizens and their comments. For any citizens that attended CEDAC or Regulatory Reform meetings, most would likely agree with me that if you did not agree with the majority viewpoint of CEDAC, you were bullied and frozen out of the group, disregarded, and made acutely aware that you were not welcome and were presented with a hostile environment. Meetings were always held in the daytime, convenient for developers and realtors and business owners; not convenient for working citizens.

Your development services director and principal planner spoke on Tuesday about the 200 meetings that were held for the public. I'd like to see where the public's ideas were included in the TGPA/ZOU plan before you. We know that through CEDAC, and now EDCARP (a group made up of developers and their boosters), you are receiving and institutionalizing the developers' needs and wants. In fact, CEDAC is presenting you with a "white paper" created by EDCARP. Did staff approach community members and give them the same opportunity? Did staff approach the environmental members and give them the same opportunity? Did staff approach the different recognized and non-recognized tribal governments and give them the same opportunity? No. Since EDCARP is comprised of developers and their boosters, and CEDAC is an "advisory" group comprised of many of the same interests, whom are you, Supervisors, really representing? The tail is wagging the dog. CEDAC is guiding staff through this process to benefit developers and their boosters. CEDAC members, and their boosters, had a good turnout on Tuesday and kept lavishing praise on staff for their hard work - well, of course, because staff included what CEDAC and boosters wanted. Citizens and resident interests have not been heard. Politely listened to, perhaps; but not heard and worked with.

Supervisor Mikulaco and Supervisor Novasel repeated on Tuesday that they were "very offended" by a "threat" to sue by the community members' attorney. Do you understand now why the community members felt the need to hire an attorney and are ready to instigate litigation against the County? You are in effect, using our taxpayer dollars against us, in creating the TGPA/ZOU, and you will be using our taxpayers dollars to defend the County against the community. This is a waste of taxpayer dollars. If you would instead, work with community members as the RCU's attorney recommended, you can avoid a lawsuit. You, BOS, and your predecessors for the past decade, have failed to do this, and have failed to implement the voter-approved 2004 general plan. That is what the community wants - implement the plan we voted for, not gut and amend it and throw away policies.

Respect for El Dorado County residents is viewed with contempt and disdain by the land speculators, their boosters, and government electeds. Land speculators and their Chamber of Commerce boosters and county planning staff have now normed ridiculing and belittling citizens who oppose their plan to squeeze every penny

out of the land that they are speculating on via upzoning. To hell with the residents who live nearby and whose only investment is their home. Being a resident and owning a home is not a "special interest." You don't enforce special use permits; you don't do any monitoring or mitigation for environmental effects (like oak trees); you haven't implemented 2004 general plan policies (mitigation, is what policies are, still waiting for that scenic corridor ordinance to protect the view in Shingle Springs - wait, too late, there are billboards there within the Crystal Range viewshed). Why should the community trust you when you disrespect us? The recall attempt is a way to try to get you to take notice that you seem to only be working for the developers and their boosters. You are implicit in this disdain for the community, Supervisors, by not insisting on respect for the community members and including them in the process.

There is a perception that land speculators have put electeds in office by hiring lobbyists who spin citizen facts and call what the citizens present as misinformation (apparently staff does that too, as evidenced at the Tuesday meeting), and creating a political "farm team" together where they directly donate to campaigns for their puppets who will vote their way, or create PACs to send out expensive mailers and put on tv ads, which local citizens running for office can't afford to do. Is this perception? Or is it actually, fact? The land speculators spend a lot of time "volunteering" to coordinate their efforts and plan their strategy; this was told to me by a leader of Regulatory Reform back when I was a planner. He told me to include points from his white paper into my staff report so that I would "look smart" because the developers have two BOS come to their Monday night planning meetings to strategize for Tuesday BOS meetings, and besides, they had lobbied all the BOS and were assured to get a positive vote. This is absolutely, a fact. Not a perception.

Perception. Those Supervisors who are independent of the developers and believe in a fair and democratic process should vote NO TO APPROVING THE TGPA/ZOU, and demand that staff LISTEN to and INCLUDE the community. People who jeered the community member who said this process is too fast - the issue is that the public has been shut out of the process. The underlying tone of the Tuesday, November 10, 2015 meeting was contempt and disdain towards the community, between comments made by Supervisors, comments made by staff, and comments made by developers and their boosters. To read in the local newspaper that just a few loud citizens who "didn't get their way" are trying to obstruct the process is far from the truth. Those citizens represent me, and people like me, who have to work during the days when those meetings are held. I appreciate and respect them for dealing with the contempt they are greeted with, and for representing me.

I urge you to vote no to the TGPA/ZOU and create an inclusive public process. I urge you to dismantle CEDAC due to its exclusion of community members who don't agree with developer boosterism. I urge you to do the right thing and not turn this county, which depends on tourism, into the next freeway community with ugly development and billboards along its scenic corridors. I urge you to create mandatory design guidelines, so any commercial development is pleasing and cohesive. I am not anti-growth, nor are many community members, so don't believe the spin the developers and their boosters will tell you. I believe in thoughtful, well-planned growth that is appropriate for the area. We identify as a rural community. Our tourist visitors come here to spend their money in our shops, at our farms, at our restaurants, grocery stores, rafting outfitters, and gas stations because we are rural and they want to come to an aesthetically pleasing place to get away from the city and the suburbs. Let's be respectful of our current citizens, our tourists, and property owners can still build, while considering the neighbors and aesthetics and size that is suitable to the site, and retain our sense of place.

Thank you.

Monique Wilber

EDC COB <edc.cob@edcgov.us>
To: Monique Wilber <monique.w@comcast.net>

Thu, Nov 12, 2015 at 10:26 AM

Thank you. Appropriate public comment provided for upcoming agenda items will be added to the corresponding file.

Office of the Clerk of the Board
El Dorado County

11/12/2015

Edcgov.us Mail - Re: 11-0356 / HEARING - TGPA/ZOU Hearing

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