



## County of El Dorado

### Minutes - Final Planning Commission

**Bob Williams, Chair, District 2**  
**Patrick J. Frega, First Vice-Chair, District 5**  
**Jeff Hansen, Second Vice-Chair, District 3**  
**David Spaur, District 1**  
**Andy Nevis, District 4**

**Rhiannon Guilford, Clerk of the Planning Commission**  
**Karen L. Garner, Executive Secretary**

Planning and Building  
Department  
2850 Fairlane Court  
Placerville CA 95667  
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Thursday, February 27, 2025

8:30 AM

<https://edcgov-us.zoom.us/j/89600797892>

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**2850 Fairlane Court, Building C Hearing Room, Placerville, CA 95667**

**PUBLIC PARTICIPATION INSTRUCTIONS:** The Planning Commission meeting room will be open to the public. The meeting will continue to be live-streamed via Zoom.

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.

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 896 0079 7892. Please note you will not be able to join the live-stream until the posted meeting start time. To observe the live stream of the Planning Commission meeting go to: <https://edcgov-us.zoom.us/j/89600797892>

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 instructions to access the meeting.

Planning Commission video recordings, agendas, staff reports, supplemental materials and meeting 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 of the Planning Commission at 530-621-5355 or via e-mail, [planning@edcgov.us](mailto:planning@edcgov.us), preferably no less than 24 hours in advance of the meeting.

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. The Clerk of the Planning Commission 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.

Materials related to an item on this agenda submitted to the Planning 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.**

**CALL TO ORDER / ROLL CALL**

**Chair Williams called the meeting to order at 8:30 A.M. with a welcome message and an outline of meeting procedures. All commissioners were present.**

**Present:** 5 - Commissioner Nevis, Commissioner Frega, Commissioner Spaur, Commissioner Williams and Commissioner Hansen

**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.)**

*Public Comment: D. Schafer, K Payne*

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

**Commissioner Hansen was absent for the vote.**

**Yes:** 4 - Commissioner Nevis, Commissioner Frega, Commissioner Spaur and Commissioner Williams

**Absent:** 1 - Commissioner Hansen

**CONSENT CALENDAR**

1. 25-0256 Clerk of the Planning Commission recommending the Commission approve the MINUTES of the regular meeting of January 27, 2025.  
**This item was approved on the Consent Calendar.**

**2. 25-0248**

Chief Administrative Office, Parks & Trails Division-River Program, submitting a request to:

- 1) Pursuant to CEQA Guidelines Section 15162 and subsection 15168(c) (2), find that River Use Permits were an activity analyzed for potential environmental effects within the scope of the project in the 2001 Program Environmental Impact Report (EIR) for the RMP, that all potentially significant effects from the approval of River Use Permits were addressed by the EIR, and that no new environmental document is required for the approval of River Use Permits and,
- 2) Approve three-year River Use Permits for applicants meeting the standards of the Streams and Rivers Commercial Boating Ordinance Chapter 5.48. Therefore, permits 10, 49, 52, 32, 38, 25, 27, 33, 79, 82, 85, 83, 68, 51, 61, 70, 14, 58, 75, 20, 18, 19, 74, 81, 60, 23, 30, 43 are recommended for a three-year renewal.

This item was approved on the Consent Calendar.

**END OF CONSENT CALENDAR**

**TO AND FROM: 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)**

Karen Garner, Director of Planning and Building, reported on the following:  
The February 25 and March 4 Board of Supervisors Meetings.

Chair Williams reported on the following:

His discussion with Vice Chair Frega regarding future coordination with the Board of Supervisors and other Commissions/Committees; his discussions with Commissioner Hansen and Commissioner Spaur regarding additional agenda items and workshops; as well as his attendance to meetings and his community outreach efforts.

Commissioner Nevis reported on the following:

He will be unable to attend the March 13 meeting of the Planning Commission.

Commissioner Frega reported on the following:

His tour of the South Lake Tahoe Recreation and Swim Facilities; his discussion with Chair Williams regarding coordinating with other Commissions/Committees.

**PUBLIC FORUM / PUBLIC COMMENT**

*Public Comment: K. Payne, C. Morreale*

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****3. 25-0251**

Hearing to consider Rosewood (Commercial Cannabis Use Permit CCUP21-0007)\* request for the construction and operation of a cannabis cultivation facility for medical and adult-use recreational cannabis. The property, identified by Assessor's Parcel Numbers 095-130-051 & 095-130-054, consisting of 20.24 acres, is located on the west side of Derby Lane, approximately .3 mile south of the intersection with Omo Ranch Road, in the Somerset area, submitted by Jason Kipperman; Staff recommends the Planning Commission take the following actions:

- 1) Adopt the Mitigated Negative Declaration (MND) based on the Initial Study prepared by staff;
- 2) Adopt the Mitigation Monitoring and Reporting Program (MMRP) in accordance with the California Environmental Quality Act (CEQA) Guidelines Section 15074(d), incorporated as Conditions of Approval; and
- 3) Approve Commercial Cannabis Use Permit CCUP21-0007 based on the Findings and subject to the Conditions of Approval as presented. (Supervisory District 2)

*Public Comment: S. Taylor, H. Lehmann, D. Ullrich, C. Schaufelberger, M. Pinette, R. Buchanan, S. Cummings, H. Schafer, G. Stremcha, M. Lane, K. Payne, C. Morreale, L. Tennenbaum, K. McCarty, C. Clary, M. Morreale*

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

**Commissioner Frega disclosed that he was contacted by the applicant.**

**Commissioner Nevis disclosed that he spoke with the applicant.**

**Commissioner Spaur disclosed that he was contacted by the applicant.**

**A motion was made by Commissioner Spaur, seconded by Commissioner Frega, to approve staff recommendations 1, 2 and 3.**

**Yes:** 2 - Commissioner Frega and Commissioner Spaur

**Noes:** 3 - Commissioner Nevis, Commissioner Williams and Commissioner Hansen

**A motion was made by Commissioner Nevis, seconded by Commissioner Williams, that the Planning Commission find that based on credible lay testimony that proposed CCUP21-0007:**

**1) Does not meet the requirements of the cannabis ordinance, particularly reduced setbacks from property lines and a bus stop due to land use conflicts, air quality impacts, and groundwater usage.**

**2) Is injurious to the public health, safety and welfare and injurious to the neighborhood due to land use conflicts, air quality impacts, traffic safety and groundwater usage.**

**Due to these concerns, CCUP21-0007 is denied and the Mitigated Negative Declaration is not approved.**

**Yes:** 3 - Commissioner Nevis, Commissioner Williams and Commissioner Hansen

**Noes:** 2 - Commissioner Frega and Commissioner Spaur

4. 25-0339 A request by Chair Williams recommending that the Commission consider agendizing an item at an upcoming meeting to conduct a review and consider potential revisions to the Planning Commission Bylaws and the Planning Commission Procedures and Expectations document. The purpose of this item is to determine whether or not to agendize a future item. If authorized by the Commission, discussion of the merits will take place at the future meeting.

*Public Comment: M. Lane, S. Taylor, K. Payne*

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

**A motion was made by Commissioner Nevis, seconded by Commissioner Spaur, to approve the request and include the item on the March 27 Planning Commission agenda.**

**Yes:** 5 - Commissioner Nevis, Commissioner Frega, Commissioner Spaur, Commissioner Williams and Commissioner Hansen

## **ADJOURNMENT**

**Meeting was adjourned at 11:45 A.M. by Chair Williams.**

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.

\*A negative declaration has been prepared for this project and may be reviewed and/or obtained in Planning Services, 2850 Fairlane Court, Placerville, CA 95667, during normal business hours. A negative declaration is a document filed to satisfy CEQA (California Environmental Quality Act). This document states that there are no significant environmental effects resulting from the project, or that conditions have been proposed which would mitigate or reduce potential negative effects to an insignificant level.