

FROM THE PLANNING COMMISSION MINUTES OF JULY 23, 2009

7. PARCEL MAP

P08-0030/Harris submitted by MARY H. NUGENT to create two parcels of 25 acres and 125 acres. The property, identified by Assessor's Parcel Number 101-030-13, consisting of 150 acres, is located at the intersection of Blair Road and Badger Hill Road, in the Pollock Pines area, Supervisorial District II. (Negative declaration prepared)*

(Clerk's Note: Commissioner Heflin recused himself from the item and left his seat on the Commission.)

Pierre Rivas requested the item be continued to the August 27, 2009, meeting to allow additional time for staff to meet with the applicant, County Counsel, and DOT regarding issues with road improvement requirements listed in the conditions of approval.

Pam Harris, representative, identified that the specific conditions in question were Conditions #13-16 and #19. She stated that this request was for a parcel split and these requirements were not appropriate until the use of the land changed. *(Clerk's Note: Ms. Harris provided the Clerk her speaking notes to be placed in the file.)*

County Counsel Paula Frantz requested that the continuance be to the September meeting due to scheduling conflicts with the August date. John Olsen, representative for Mary Nugent, voiced acceptance to the September continuance and summarized the same rationale used by Ms. Harris in regards to the concerns with certain conditions.

David Combellack, representative for the Blair-Harris Family Trust, echoed Mr. Olsen's comments and stated that the applicant has no intention of developing the property and the intent is to operate "as-is".

County Counsel Frantz explained that the parcel is currently in TPZ and since the Courts have approved the split, the County needs to have findings that allow this.

Commissioner Pratt questioned if it was a 10 year or 20 year rollout of TPZ and felt that this was an important factor since the conditions were going to be reviewed again by staff and the applicant. He also felt that the Land Use Designation was incompatible with TPZ and that the parcel is located in a Community Region, which will make it difficult to get findings for approval. County Counsel Frantz responded that staff is aware of the issue and the County is anticipating high development of that area in the future. In response to the proposed deed restrictions for this project, she stated that they will be exploring all options in order to resolve the issue.

No further discussion was presented.

Motion: Commissioner Pratt moved, seconded by Commissioner Tolhurst, and carried (4-0), to continue the item to the September 10, 2009, meeting.

AYES: Rain, Tolhurst, Pratt, Mathews
NOES: None
ABSTAIN: Heflin

09-1516.E.1