

File Number: TM 07-1441-EA  
Date Received: 6/23/16

Receipt No.: 29954  
Amount: \$200.00

**APPEAL FORM**

(For more information, see Section 130.22.220 of the Zoning Ordinance)

Appeals must be submitted to the Planning Department with appropriate appeal fee. Please see fee schedule or contact the Planning Department for appeal fee information.

APPELLANT neighbors against Shinn Ranch Development  
ADDRESS Shinn Ranch, Oldtimer lane, Kingvale etc  
Mailing address:  
DAYTIME TELEPHONE 5380 old timer lane El Dorado Ca 95623  
5303061912

A letter from the Appellant authorizing the Agent to act in his/her behalf must be submitted with this appeal.

AGENT \_\_\_\_\_

ADDRESS \_\_\_\_\_

DAYTIME TELEPHONE \_\_\_\_\_

APPEAL BEING MADE TO: Board of Supervisors Planning Commission

ACTION BEING APPEALED (Please specify the action being appealed, i.e., approval of an application, denial of an application, conditions of approval, etc., and specific reasons for appeal. If appealing conditions of approval, please attach copy of conditions and specify appeal.)

APPROVAL OF TWO ONE-YEAR TIME EXTENSIONS  
TO APPROVED TENTATIVE MAP TM07-1441-R  
SEE ATTACHED COPY

16 JUN 23 PM 3:26  
RECEIVED  
PLANNING DEPARTMENT

DATE OF ACTION BEING APPEALED JUNE 9, 2016

[Signature]  
Signature

6/23/16  
Date

# Appeal of Tentative Map Time Extension TM07-1441-E/Shinn Ranch Tentative Map approved June 9, 2016 by County of El Dorado Planning Commission

- Appellant: Neighbors Against Shinn Ranch Development

To the Board of Supervisors,

We submit this appeal of the approval (6-9-16) by the Planning Commission of a 2-year time extension for the Shinn Ranch Development TM07-1441 -E, requested by Silverado Homes, Inc.

We are appealing based on the grounds that the project approval violates California Environmental Quality Act (CEQA), the applicable general plans and zoning laws, and that the comments submitted to the Planning Commission contained accurate statements of significant legal violations that were not addressed by the Planning Commission at the hearing.

In addition to the legal violations not addressed previously, the following are additional facts which must be addressed regarding this time extension, approval of which indicates that these concerns should have been considered when the tentative development was approved in 2007.

## 1. Measure E approval (June 2016)

The approval of Measure E reinforces Measure Y, which should therefore have been applied and still applies to this project.

## 2. Fire safety for nearby properties-health and safety hazard

There is no water supply, fire hydrants, nor any egress on the narrow roads leading to the existing 38 homes/56 parcels on Kingvale Road, Concept Mountain Rd, Kingvale Court, and Wildcrest Road south of the planned development. This tentative development and the planned new homes increases the chances of a fire occurring. With the current plans using Kingvale road, this causes a huge bottleneck for all residents relying on Kingvale road as their only exit. The project should have mitigated the reality of fire for all the residents beyond the project on Kingvale road which have no way of protecting themselves from this hazard. The planners chose to use their only exit.

## 3. Indian burial sites

The local Native Miwok tribal Communities submitted the following comments to county planning: "We have serious concerns of possible burial sites that may exist and are purposely obscured. The tentative map does provide for "...in the event of human remains are encountered..." which would be considered inadvertent discovery. This is very different from original knowledge of same prior to any discovery during construction. This is not acceptable and disrespectful to cultural ancestors and the disturbance of any remains. There are not typically any markers with Indian burial sites, but, the area would be considered sacred and should be preserved as sanctuary. More time is needed to research and respond to this issue. The secondary problem is that excavation of these burial grounds will reintroduce Valley Fever and other ratified diseases to the surrounding community. This is a health and safety issue for the community. Apparently there is no study or plan to contain this disease once it is airborne.

## 4. Notification of affected properties

In 2007 when this tentative map was approved, notification was made in the newspaper, but a limited number of adjacent property owners were notified. At that time, notification was required if property was within 500 feet of the planned development. Currently, the requirement is one mile. Some residents claim they did not receive these notifications. We're they sent certified? Tom Shinn owned 3 of the properties affected at that time, maybe more. A full background would need to be done in order to verify. Many residents do not subscribe to the Mountain Democrat. Word of mouth is not an appropriate vehicle for notification.

## 5. Existing deed restrictions – Shinn Ranch Road properties

A deed restriction was attached to deeds signed by Tom Shinn and Linda Lou Fine when the Shinn Ranch Road properties were sold. These existing properties are adjacent to the tentative map. Restrictions include:

- Dwelling must be a minimum of 2600 sq. ft (exclusive of garage)
- Second dwellings not to exceed 1200 sq ft.
- No manufactured or modular dwellings except during construction
- No track or course for bikes, quads, motorcycles
- Only domestic livestock allowed (no excessively noxious or noisy animals)

Changes to these restrictions requires written consent of all adjoining property owners bordering a Shinn Ranch Road property.

The 5 and 10 acre parcel owners on Shinn Ranch Road have concerns over how the tentative development is in opposition to these restrictions, especially the home square footage restriction.

There are also similar deed restrictions for all properties north of old timer lane to Motherlode. This development does not fit within the existing CC & R's. Nor does it fit within the existing neighborhood.

#### 6. Increased traffic Kingvale Road

Access is already difficult and dangerous at Shinn Ranch Road, Kingvale and on an already dangerous thoroughfare, Motherlode Drive, especially when the sun glare is brightest turning west on Motherlode off Kingvale in the late afternoon. Several have been injured or killed at Kingvale and Motherlode dr. Follow up with CHP for data as it appears this was also not taken into consideration. The proposed deceleration and turn lanes added as part of this project won't handle the added traffic. Motherlode is a narrow two lane road. Apparently planning failed to study the impact to the existing residents already using Kingvale road. This development only makes this intersection more dangerous for the existing communities. This development should NEVER have access to Kingvale road due to the added risk, traffic and inconvenience to the existing residents who only have one way into their homes. It is also a private, maintained road by the residents of Gold Country, whom bare. the full cost of road maintenance..

#### 7. County to pay for infrastructure?

In 2007 when this project was approved, Supervisor Sweeney had the County buy the 10 acres in the middle of the Shinn's future subdivision and then put in the contract that the County would provide the road and water infrastructure that the developer for the subdivision would not be responsible for sharing in the cost. This went to the Grand Jury, which said it was a problem. The Board's response was that they did not have the resources to deal with the Grand Jury report - so they basically did not respond. After this was reported to the Grand Jury, the Shinn's wanted a different road alignment from what the County had designed. They rewrote the contract, but left in the part about it being free for the Shinns. So the contract retained the same conditions that had been brought up by the Grand Jury as a bad deal for the County and the County allowed for a more expensive road to be designed which the County would pay for when they built the road to the Animal Shelter. Since the Animal Shelter project has been abandoned, it's unclear what the deal is for the County to still provide the infrastructure. - But the whole contract should be dismissed. This was brought before Vern Pearson and he refused to take action. Where is the justice for our community?

8. Most of this was project was done behind the scenes such as public meetings 11:45 pm in the evening. This project will be challenged on 2 fronts - the ethics of the deal, and through California Environmental Quality Act (CEQA) law.

9. Quality of life. Noise, light and air pollution, crime. Destroys rural atmosphere we all enjoy.