

FROM THE PLANNING COMMISSION MINUTES OF AUGUST 27, 2009

8. REZONE/TENTATIVE MAP

Z08-0004/TM08-1466/Blackhawk Estates submitted by BRUCE WIRTANEN (Agent: Patterson Development) to rezone from Exclusive Agricultural District (AE) to Estate Residential Five-Acre District (RE-5) and Estate Residential Ten-Acre District (RE-10); A tentative map creating 9 lots, ranging in size from 5 acres to 11.5 acres for APN 078-200-71; and the following two Design Waiver requests: (a) Allow the creation of parcels with a length in excess of three times the width for Lots 4 and 5; and (b) Reduction in the required 10 foot shoulder to 2 feet as required in Section III(A)(12) of the Design Improvements Standards Manual. The property, identified by Assessor's Parcel Numbers 078-200-70 and -71, consisting of 77.42 acres, is located on the north and south side of Blackhawk Lane, approximately .25 miles east of the intersection with Mt. Aukum (E16), in the Pleasant Valley area, Supervisorial District II. *[Project Planner: Aaron Mount]* (Mitigated negative declaration prepared)
[continued from July 23, 2009, meeting]

Aaron Mount informed the Commission that this item had been conceptually approved at the July 23, 2009, meeting and was before them today to clarify two concerns that had been identified: (1) split zoning and (2) leach lines crossing over the boundary lines. Mr. Mount referred to Staff Memo dated August 10, 2009, which provided new information, including new exhibits, regarding these two issues. He also noted, as stated in the memo, that staff was requesting a new condition (Condition #47) be added requiring a separation be shown on the final map between existing septic system and the southern lot line of Lot 5.

Bruce Wirtanen, applicant, was available for questions.

County Counsel Paula Frantz suggested, for clarification purposes, to modify Condition #1 to indicate that the originally submitted Exhibits B and D were deleted and replaced with the revised Exhibits B and D submitted under Staff Memo dated August 10, 2009.

No further discussion was presented.

Motion: Commissioner Pratt moved, seconded by Commissioner Heflin, and unanimously carried (5-0), to recommend the Board of Supervisors take the following actions: 1. Adopt the Mitigated Negative Declaration based on the Initial Study prepared by staff; 2. Adopt the mitigation monitoring program in accordance with CEQA Guidelines, Section 15074(d), as incorporated in the Conditions of Approval and Mitigation Measures; 3. Approve Rezone Z08-0004 for APNs 078-200-70 and -71 based on the findings proposed by staff; 4. Approve Tentative Map TM08-1466 for APN 078-200-71 based on the findings proposed by staff, subject to the conditions of approval as modified to include: (a) New Condition #47; and (b) Amend Condition #1 to identify the replacement of Exhibits B and D with the revised exhibits submitted under Staff Memo dated August 10, 2009; and 5. Approve design waiver requests to: (a) Allow the creation of parcels with a length in excess of three times the width for Lots 4 and 5; and (b) Reduce the required 10 foot shoulder to 2 feet as required in Section III(A)(12) of the Design Improvements Standards Manual.

AYES: Rain, Tolhurst, Heflin, Pratt, Mathews

NOES: None

09-1167.A.1