



County of El Dorado

Planning and Building
Department
2850 Fairlane Court
Placerville CA 95667
www.edcgov.us
phone:530-621-5355
fax:530-642-0508

Minutes - Draft Planning Commission

Jon Vegna, Chair, District 1
John Clerici, First Vice-Chair, District 3
Andy Nevis, Second Vice-Chair, District 4
Kris Payne, District 2
Daniel Harkin, District 5

Aurora Osbual, Clerk of the Planning Commission
Karen L. Garner, Executive Secretary

Thursday, September 8, 2022

8:30 AM

<https://edcgov-us.zoom.us/j/85069993519>

2850 Fairlane Court, Building C Hearing Room OR Live Streamed

PUBLIC PARTICIPATION INSTRUCTIONS: In accordance with new guidance from the California Department of Public Health, the meeting room will be open to the public. The meeting will continue to be live-streamed via Zoom.

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 850 6999 3519. 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/85069993519>.

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. 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 above directions to access the meeting.

Planning Commission audio recordings, Agendas, Staff Reports, Supplemental Materials and 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 to the Planning Commission at 530-621-5355 or via e-mail, planning@edcgov.us.

All Planning Commission hearings are recorded. An audio recording of this meeting will be published to the website. Please note that due to technology limitations, the link will be labeled as "Video" although only audio will play. The meeting is not video recorded***.

***This Planning Commission meeting will be recorded via Zoom Webinar and available for Live Web Streaming on the internet (follow instructions listed under the Public Participation Instructions in this agenda).

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. Planning Services 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.

Staff materials related to an item on this agenda submitted to the 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. Individuals authorized by organizations will have three minutes to present organizational positions and perspectives and may request additional time, up to five minutes. At the discretion of the Commission, time to speak by any individual may be extended.

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.

CALLED TO ORDER / ROLL CALL

The meeting was called to order at 8:30 A.M. by Chair Vegna.

Present: 5 - Commissioner Clerici, Commissioner Vegna, Commissioner Nevis, Commissioner Payne and Commissioner Harkin

PLEDGE OF ALLEGIANCE TO THE FLAG

Chair Vegna led the 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.)

A motion was made by Commissioner Clerici, seconded by Commissioner Nevis, to Adopt the Agenda and Approve the Consent Calendar with Commissioner Harkin abstaining from Item 1 as he was not present at the meeting.

Yes: 5 - Commissioner Clerici, Commissioner Vegna, Commissioner Nevis, Commissioner Payne and Commissioner Harkin

CONSENT CALENDAR

- 1. **22-1150** Clerk of the Planning Commission recommending the Commission approve the MINUTES of the regular meeting of August 25, 2022.

This item was Approved on the Consent Calendar.

Commissioner Harkin abstained from Item 1 as he was not present at the meeting.

Yes: 4 - Commissioner Clerici, Commissioner Vegna, Commissioner Nevis and Commissioner Payne

Abstained: 1 - Commissioner Harkin

- 2. **21-1776** Planning Division recommending the Planning Commission, as a result of ongoing concerns related to COVID-19, approve the following Teleconference Finding Pursuant to Government Code subsection 54953(e)(3) in order to allow for the continued use of virtual Committee meetings as authorized under Assembly Bill 361:

1) Pursuant to Government Code subsections 54953(e)(3)(A) and (e)(3)(B)(ii), the Committee has reconsidered the circumstances of the state of emergency resulting from COVID-19 and the El Dorado County Public Health Officer continues to recommend measures to promote social distancing, as documented in the September 30, 2021 “Public Health Officer’s Recommendations for Safe Board and Commission Meetings During COVID-19 Pandemic.”

This item was Approved on the Consent Calendar.

Yes: 5 - Commissioner Clerici, Commissioner Vegna, Commissioner Nevis, Commissioner Payne and Commissioner Harkin

END OF CONSENT CALENDAR

DEPARTMENTAL REPORTS AND COMMUNICATIONS (Planning and Building, Transportation, County Counsel)

Robert Peters, Deputy Director of Planning, reported on the following: September 22, 2022 Planning Commission Meeting.

COMMISSIONERS' REPORTS

Commissioner Nevis reported on the following: Mosquito fire evacuation.

Commissioner Payne reported on the following: New emergency center next to the El Dorado County Food Bank located in the Barnett Business Park.

PUBLIC FORUM / PUBLIC COMMENT

AGENDA ITEMS

- 3. **22-1542** Hearing to consider Embarc Meyers (Commercial Cannabis Use Permit CCUP21-0001) request for a Commercial Cannabis Use Permit for a retail storefront for the sale of cannabis goods for medicinal and adult-use recreational in an existing building. The property, identified by Assessor’s Parcel Number 034-671-005 and 034-671-006, consisting of 0.63 acres, is located on the northwest side of US 50, approximately 750 feet northeast of the intersection with Apache Avenue, in the Meyers area, submitted by Embarc Meyers, LLC (Agent: Lauren Carpenter); staff recommends the Planning Commission take the following actions:
 - 1) Find the project Exempt under Section 15301 of the CEQA Guidelines; and
 - 2) Approve Commercial Cannabis Use Permit CCUP21-0001, based on the Findings and subject to the Conditions of Approval as presented. (Supervisory District 5)

Public Comment: C. Wilson, J. Albee, Paula, C. Ribaldo, J. Peterson, T. Cherry, C. Thomas, C. Daum

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

A motion was made by Commissioner Clerici, seconded by Commissioner Payne to

- 1) Find the project Exempt under Section 15301 of the CEQA Guidelines;
- 2) Approve Commercial Cannabis Use Permit CCUP21-0001, based on the Findings and subject to the Conditions of Approval as presented with a revision to Exhibit K: Remove the words "Cannabis Goods" from the proposed wall sign and replace with a green cross similar to the freestanding sign.

Yes: 5 - Commissioner Clerici, Commissioner Vegna, Commissioner Nevis, Commissioner Payne and Commissioner Harkin

4. 22-1543

Hearing to consider Eldo Lake Investment, LLC (Commercial Cannabis Use Permit CCUP19-0008) to request a Commercial Cannabis Use Permit for a retail storefront for the sale of cannabis goods for medicinal and adult-use recreational in an existing building. The property, identified by Assessor’s Parcel Number 033-050-023, consisting of 1.18 acres, is located on the west side of US 50, approximately 430 feet southwest of the intersection with Jewell Road, in the South Lake Tahoe area, submitted by Eldo Lake Investment, LLC, (Agent: Chris Hester); staff recommends the Planning Commission take the following actions:
1) Find the project Exempt under Section 15301 of the CEQA Guidelines; and
2) Approve Commercial Cannabis Use Permit CCUP19-0008, based on the Findings and subject to the Conditions of Approval as presented. (Supervisory District 5)

Public Comment: H. Vermillion

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

A motion was made by Commissioner Nevis, seconded by Commissioner Clerici to

- 1) Find the project Exempt under Section 15301 of the CEQA Guidelines;**
- 2) Approve Commercial Cannabis Use Permit CCUP19-0008, based on the Findings and subject to the Conditions of Approval as presented.**

Yes: 5 - Commissioner Clerici, Commissioner Vegna, Commissioner Nevis, Commissioner Payne and Commissioner Harkin

ADJOURNED

Meeting was adjourned at 10:04 A.M. by Chair Vegna.

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.

**This project is exempt from the California Environmental Quality Act (CEQA) pursuant to the above referenced section, and it is not subject to any further environmental review.