



Notice to repeal Chapter 130.72 Missouri Flat Cost Reimbursement fee

From JAMES SWEENEY <jamesweeney@comcast.net>

Date Mon 3/2/2026 9:56 AM

To Planning Department <planning@edcgov.us>

Cc Adam J. Bane <adam.bane@edcgov.us>; David A Livingston <david.livingston@edcgov.us>

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I ask that this email be forwarded to the Planning Director.

On January 21, 2026 I met with Supervisor Veerkamp, his assistant Kathy Witherow, Rafael Martinez, Adam Bane, and David Livingston. The meeting was to try and bring a reasonable settlement to issues involving the Crossings (formerly Sundance) project. It was agreed that I would meet with Adam Bane to review the issues; that meeting was February 5, 2026 and at the conclusion it was determined that Adam would send me some updated comments.

The attached notice is the first I have heard. Not a good sign of working together!

Following is my response to the notice:

Doing Away with the Missouri Flat Planning Cost Reimbursement Fee Ord 130 et seq 2-28-26 JRS

I was infuriated this morning when I saw the "Notice of Public Hearing" to do away with Title 130 of the Zoning Ordinance! This matter seems to be an end run around discussions ongoing between affected parties and the county. Eliminating the ordinance at this time would be premature and the item should be withdrawn. I am curious and I believe the very staff that has been in discussions with me probably knew this was coming. That is wrong!

That section was created to operationalize the agreement that was Adopted April 15, 1997 which was made between the Board of Supervisors and three developers in the Missouri Flat area to fund the Planning requirements for development of the area. It provided for certain contributions from the three developers and from the county. It limited the contributions from the three developers and the County to the amounts specified in the contract. However, it specified that other parties would ultimately develop and would benefit from the planning being accomplished and that those parties should pay some pro-rata share to reimburse the parties of the agreement.

To provide a surety as to the enforcement of the agreement, the County created Title 130 of the Ordinance code. Most importantly, Section 130.72.090 is partially as follows: "The initial participating Developers or their assignees".

My client Grado doing business as LLL&A, LLC has been incorrectly charged \$65,000 and he was forced to pay the money in order to obtain his Final Permits! Since he is in fact the

successor (assignee) of the Sundance interests, he should not be paying; in fact, he may be due a share of what others have paid.

As to ownership, please see Development Agreement section 1.A. Binding Covenants which closes with “and their successors in interest”.

Also, paragraph 5 of the agreement requires accounting of funds not less than every 60 days and we have never seen such accounting. It should be a requirement of any ordinance cancellation to provide such accounting.

Please, before you make a bad problem worse, pull this item from your agenda.

I will appreciate any correspondence that illustrated the need for this matter and who promulgated the request.

EL DORADO COUNTY
PLANNING DIVISION

<https://www.eldoradocounty.ca.gov/Land-Use/Planning-and-Building/Planning-Division>

NOTICE OF PUBLIC HEARING

SUMMARY OF PROPOSED ORDINANCE NO. XXX-2026

ADOPTING REVISIONS TO

EL DORADO COUNTY TITLE 130 (ZONING ORDINANCE)

Consistent with Government Code Sections 65854-65857, the Planning Commission for the County of El Dorado (County) will, on March 12, 2026, at 8:30 a.m. in the Planning Commission Hearing Room at 2850 Fairlane Court, Placerville, hold a public hearing and vote on the recommendation for passage of a proposed amendment to Title 130 (Zoning Ordinance) of the County Code. This

recommendation will be forwarded to the Board of Supervisors (Board) for consideration after the public hearing. Specifically, the proposed Ordinance would repeal Chapter 130.72 (Missouri Flat Planning Cost Reimbursement Fee) from the Zoning Ordinance. The proposed Ordinance would be effective 30 days after final adoption by the County Board.

Agenda and Staff Reports are available two weeks prior at

<https://eldorado.legistar.com/Calendar.aspx>

If you challenge the proposed Ordinance 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 Planning Commission at, or before, the public hearing. Any written correspondence should be directed to the Planning Commission at 2850 Fairlane Court, Placerville, CA 95667 or via e-mail: planning@edcgov.us

To ensure delivery to the Commission prior to the hearing, written information from the public is encouraged to be submitted by 2 PM the day before the meeting. Planning cannot guarantee that any comment received the day of the Commission meeting will be delivered to the Commission prior to any action.

COUNTY OF EL DORADO PLANNING COMMISSION

KAREN L. GARNER, Executive Secretary

February 27, 2026