



Charlene Tim &lt;charlene.tim@edcgov.us&gt;

---

## PC Agenda 8/20/14 TGPA/ZOU

---

John M. Garcia &lt;john.garcia2@teledyne.com&gt;

Tue, Aug 19, 2014 at 10:33 AM

To: Dave Pratt <dave.pratt@edcgov.us>, Rich Stewart <rich.stewart@edcgov.us>, Tom Heflin <tom.heflin@edcgov.us>, Walter Mathews <walter.mathews@edcgov.us>, Char Tim <charlene.tim@edcgov.us>  
Cc: "Ron Mikulaco (bosone@edcgov.us)" <bosone@edcgov.us>, "Brian Veerkamp (bosthree@edcgov.us)" <bosthree@edcgov.us>, "Norma Santiago (bosfive@edcgov.us)" <bosfive@edcgov.us>, "Ron Briggs (bosfour@edcgov.us)" <bosfour@edcgov.us>, "contact@ruralcommunitiesunited.com" <contact@ruralcommunitiesunited.com>, "Lori Parlin' (loriparlin@sbcglobal.net)" <loriparlin@sbcglobal.net>, "Thomas P. Infusino" <tomi@volcano.net>

Dear Commissioners,

I would like to reiterate what has already been brought to your attention regarding public comments on the dEIR. I do not support making any recommendations to the Board of Supervisors based on the current staff evaluation of the TGPA/ZOU. Public commentary exceeding 300 pages has not been considered and addressed by staff at this time. Making recommendations without considering these proposed changes and the effects of acting (or not acting) on impacts that were not analyzed would be pushing through an incomplete project supported by an incomplete dEIR.

Please advise county staff to fully evaluate the public commentary and proposed changes before considering making any recommendations to the BOS on this project.

Thank you,

John Garcia

El Dorado Hills, CA

The following article was attached since it highlights the community's interest in how you approach this issue. I'm stating my objections. The community is watching.

Please note in particular the highlighted areas.

<http://ruralcommunitiesunited.wordpress.com/2014/08/12/the-devil-is-plotting-against-ceqa/>

## The Devil is plotting against CEQA

rcublogger / 7 days ago



"You should limit the ability of neighborhoods to challenge projects, which can delay development for years, even decades. (~Christopher Thornberg, testifying at the State Assembly Committee on Housing)

Ken Calhoun, a real estate broker in EDC, believes following this man's advice will help bring change to our county. I see it as the kind of change that will line his pockets and destroy the rural character of our communities forever. Thornberg is a founding partner in Beacon Economics, LLC. Touted as an independent research and consulting firm "...dedicated to delivering accurate, insightful, and objectively-based economic analysis", his firm is keenly focused on a game changer in favor of the development community. By testifying to limit our citizen's ability to challenge projects to the State Assembly, he has thrown down a gauntlet in the face of the public which can hardly be viewed as an objective analysis.

So how does Thornberg's testimony propose to limit our abilities? He has his eyes set on removing the California Environmental Quality Act (CEQA) as an obstacle to development. But not by removing CEQA, by "reforming" it. In a recent article found on his company's site, Thornberg taunts our lawmakers stating, "It's a shame California lawmakers can't or won't support meaningful reforms—primarily altering CEQA—instead of offering more band-aids." This was stated in regards to an affordable housing problem that the California Homes and Jobs Act is seeking to remedy. He later continues, "But most of all, state leaders have allowed the problem to persist and grow through their unwillingness to meaningfully reform CEQA." Many of his other articles repeat this message over and over. He claims that CEQA is being abused by special interests seeking kickbacks, no-growthers and "NIMBYs" (No In My Back Yard'ers). Beacon Economics advice is more that of a developer influenced lobby than an economic advisory company and they are lobbying OUR government organizations against CEQA. Through his testimony and blog articles, builders and affordable housing advocates have now found a common ground and are going after CEQA protections.

CEQA was put in place for a reason and the developers don't like it. CEQA makes environmental protection a mandatory part of every California state and local agency's decision making process by implementing feasible and environmentally superior mitigation measures. It stands in the developer's way of making billions of dollars at the expense of our natural resources, citizens and communities.

In El Dorado County, our public agencies are already trying to sidestep these requirements as seen in staff recommendations on projects and currently with the El Dorado County's draft Environmental Impact Report (dEIR) for the TGPA/ZOU project review. Public Commentary, in excess of 300 pages, on the lack of CEQA mitigations has been excluded from an upcoming meeting where the planning commissioners will make recommendations to the board. Negating the public's input is, in effect, following Thornberg's recommendation of limiting challenges and illegally sidestepping CEQA. This only stands to serve the interest of large developers. Don't let them ignore the law. Send in comments, stand up at the meetings and state your objections. And most of all, be watchful to ensure California legislators do not attempt to "Reform CEQA".

CEQA protections...While the Devil is plotting against it... It's time to start a Holy war to protect it.

Help Protect El Dorado County, Keep Us Rural...

8/19/2014

Edcgov.us Mail - PC Agenda 8/20/14 TGPA/ZOU



rcublogger

August 18, 2014 at 8:07 pm Edit

After much pressure from the community, the 300+pages of comments were added to the attachments for the Planning Commission meeting held today (8/18/14): Special Meeting – Targeted General Plan Amendment-Zoning Ordinance Update. But we must reiterate that there are changes proposed that were NOT analyzed in the draft EIR, and if the planning commission makes recommendations now, they are making them based on an incomplete project. This process needs the appropriate time to analyze the recommendations and include them in and revise the dEIR. The next meeting is this Wednesday, let's see if they do the right thing.....



Charlene Tim &lt;charlene.tim@edcgov.us&gt;

---

## PC agenda 8/20, item 11-0356, Please revisit Policy 17.30.030G(5)a

---

Ellen Van Dyke &lt;vandyke.5@sbcglobal.net&gt;

Tue, Aug 19, 2014 at 3:15 PM

To: Brian Shinault <brian.shinault@edcgov.us>, Char Tim <charlene.tim@edcgov.us>, Dave Pratt <dave.pratt@edcgov.us>, Rich Stewart <rich.stewart@edcgov.us>, Tom Heflin <tom.heflin@edcgov.us>, Walter Mathews <walter.mathews@edcgov.us>

Commissioners-

Item 5 of the 'Flagged' items shows the rewording of proposed ordinance **17.30.030G(5)a**. Please revisit this issue. If the concern was to prevent a "take", or to allow access, the rewording does nothing to change the previous meaning, and nothing to specifically allow access or prevent a 'taking'. As presented:

### *5. Protection of Wetlands and Sensitive Riparian Habitat*

- *Minor edits in the ZOU to clarify allowed uses and structures within defined riparian areas (17.30.030.G.5a): Staff recommends revising draft ZOU language to clarify "The uses, structures and activities allowed in the applicable zone are allowed within riparian areas with an approved Minor Use Permit" to: "The uses, and structures ~~and~~ activities allowed in the applicable zones are allowed within riparian areas with an approved Minor Use Permit"*

The way this is written (above), an applicant could come in with a pool application, and maybe a pool house, and a letter from their 'expert consultant' saying there is no value in the setback and no harm will be done, and voila' – in goes the pool and pool house adjacent to the creek. Or maybe a gazebo. Or a storage shed; a 3,000 square foot storage shed.

If the setback is to mean anything in terms of protection, this policy needs to go away, or at the very least, be rewritten to truly reflect that it is intended to prevent denying access, or prevent a take. It does NOT do that now.

Zoning Administrator approval (minor use permit) would be required, and that is an 'in house' review as far as I can tell, unless it is appealed to the Planning Commission.

It appears that the only Biological policies that were addressed in the TGPA/ZOU are the ones that loosen up requirements to allow for easier development. Actual 'protections' have not been addressed. Feel free to correct me on this.

Ellen

**Applications Reviewed/Approvable by Planning Department**

7. Applicant receives staff report with Planning Department's decision which may include proposed conditions of approval or mitigation measures. This decision is final unless appealed.
8. An appeal may be filed by either the applicant or affected party within ten (10) working days after decision.
9. Planning Commission public hearing is held on the appeal and decision is final unless appealed to the Board of Supervisors by the applicant or affected party.
10. Board of Supervisors public hearing is held on the appeal and a final decision is made (about 30 days after Planning Commission decision).

**PROCESS FOR MINOR APPLICATIONS - Categorically Exempt from CEQA**

1. Applicant/agent prepares all required submittal information and makes an appointment to submit the application.
2. Planner is assigned and the application is distributed to affected agencies for comment and recommendation (15-day agency review period).
3. Planner meets on site with applicant/agent (if necessary).
4. Applicant receives staff report with Planning Department's decision which may include conditions of approval or mitigation measures. This decision is final unless appealed.
5. An appeal may be filed by either the applicant or affected party within ten (10) working days after decision.
6. Planning Commission public hearing is held on the appeal and decision is final unless appealed to the Board of Supervisors by the applicant or affected party.
7. Board of Supervisors public hearing is held on the appeal and a final decision is made (about 30 days after Planning Commission decision).

fees for minor use permit- equivalent per today's schedule.

<b>PRE-APPLICATION REVIEW</b>	
Minor (for projects likely to be CEQA exempt; parcel maps; and use permits)	<b>\$600</b>
<b>STAFF LEVEL, MINOR</b> ((Categorically Exempt) Signs (On-Site), Accessory Structures, Minor Commercial Expansions, Minor New Commercial (2,500 sq. ft.) Minor Residential (4 dwellings or less), Barnett Business Park)	
	<b>\$1,000</b>