



County of El Dorado

Planning and Building
Department
2850 Fairlane Court
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Minutes - Final Planning Commission

Andy Nevis, Chair, District 4
Lexi Boeger, First Vice-Chair, District 3
Daniel Harkin, Second Vice-Chair, District 5
Brandon Reinhardt, District 1
Bob Williams, District 2

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

Thursday, August 22, 2024

8:30 AM

<https://edcgov-us.zoom.us/j/84466359194>

2850 Fairlane Court, Building C, Hearing Room, Placerville, CA

OR

Live Streamed

PUBLIC PARTICIPATION INSTRUCTIONS: The Planning Commission meeting room will be open to the public. The meeting will continue to be live-streamed via Zoom.

Although the County strives to offer remote participation, be advised that remote Zoom participation is provided for convenience only. In the event of a technological malfunction, the only assurance of live comments being received by the Commission is to attend in person. Except for a noticed teleconference meeting, the Planning Commission reserves the right to conduct the meeting without remote access if there is a malfunction.

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 844 6635 9194. 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/84466359194>

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 instructions to access the meeting.

Planning Commission video recordings, agendas, staff reports, supplemental materials and meeting 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 of the Planning Commission at 530-621-5355 or via e-mail, planning@edcgov.us, preferably no less than 24 hours in advance of the meeting.

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. The Clerk of the Planning Commission 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.

Materials related to an item on this agenda submitted to the Planning 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. At the discretion of the Commission, time to speak on an item may be extended or shortened for all speakers.

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.

CALL TO ORDER / ROLL CALL

Present: 5 - Commissioner Boeger, Commissioner Harkin, Commissioner Nevis, Commissioner Reinhardt and Commissioner Williams

PLEDGE OF ALLEGIANCE TO THE FLAG

Commissioner Boeger 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 Williams, seconded by Commissioner Harkin, to Adopt the Agenda and Approve the Consent Calendar with no changes.

Yes: 5 - Commissioner Boeger, Commissioner Harkin, Commissioner Nevis, Commissioner Reinhardt and Commissioner Williams

CONSENT CALENDAR

1. [24-1430](#) Clerk of the Planning Commission recommending the Commission approve the MINUTES of the regular meeting of August 8, 2024.

This item was approved on the Consent Calendar.

Yes: 5 - Commissioner Boeger, Commissioner Harkin, Commissioner Nevis, Commissioner Reinhardt and Commissioner Williams

END OF CONSENT CALENDAR

TO AND FROMS: Commission members may make a brief report on commissioner districts, committee meetings, department matters or make a brief announcement on matters of countywide concern (May be called at any time during the meeting)

Robert Peters, Deputy Director of Planning, reported on the following:
Town and Country draft EIR meeting taking place this evening at 5:30 p.m.
The September 12, 2024 Planning Commission meeting.
The September 17, 2024 joint meeting with the Board of Supervisors regarding the Interim Objective Design Standards.
Additional Planning Commission meetings. No longer intend to have a September 27, 2024 Planning Commission meeting.

Commissioner Williams reported on the following:
The Zoning Administrator meeting of September 4, 2024 regarding the Gateway Project. Expressed his concerns that the project is being heard at the Zoning Administrator and not at the Planning Commission.

Commissioner Reinhardt reported on the following:
The traffic light at Oak Ridge High School is now working.
The new antennas at the Oak Ridge High School stadium provide better reception.

PUBLIC FORUM / PUBLIC COMMENT

Public Comment: D. Getz, K. Payne, Sherrie

Public Forum/Public Comment will be heard after the consent calendar. If there are a large number of public participants, the public comment portion may be continued and conclude in a later portion of the meeting.

AGENDA ITEMS

2. [24-1431](#)

Hearing to consider Archon (Commercial Cannabis Use Permit CCUP21-0008) to request for the construction and operation of a cannabis cultivation facility for medical and adult-use recreational cannabis. The property, identified by Assessor’s Parcel Number 095-030-036, consisting of 114.69 acres, is located on the south side of Omo Ranch Road and east of Paul Summer Road, in the Somerset area, submitted by Kevin McCarty; Staff recommends the Planning Commission take the following actions:

- 1) Adopt the Mitigated Negative Declaration (MND) based on the Initial Study prepared by staff);
- 2) Adopt the Mitigation Monitoring and Reporting Program (MMRP) in accordance with the California Environmental Quality Act (CEQA) Guidelines Section 15074(d), incorporated as Conditions of Approval; and
- 3) Approve Commercial Cannabis Use Permit CCUP21-0008 based on the Findings and subject to the Conditions of Approval as presented. (Supervisory District 2)

Public Comment: E. McCarty, C. Lewis, R. Gannon, K. Payne, C. Bly-Chester, E. Jacobson

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

Commissioner Boeger disclosed that she had a phone call with the applicant for a general discussion on the Legistar materials.

Chair Nevis disclosed that he knows the applicant through serving on a non-profit board together, but is not familiar with the project beyond what is on Legistar and can judge the project impartially.

The Commissioners expressed concerns over the late submittal of a corrected staff report and deliberated on whether to postpone final action until the next meeting in case members of the public want to weigh in based on the corrected project description.

A motion was made by Commissioner Boeger, seconded by Commissioner Reinhardt to approve staff recommendations 1, 2 and 3.

Yes: 2 - Commissioner Boeger and Commissioner Reinhardt

Noes: 3 - Commissioner Harkin, Commissioner Nevis and Commissioner Williams

A second motion was made by Chair Nevis, seconded by Commissioner Harkin to continue the item to a date certain of September 12, 2024 to allow the corrected documents to be uploaded to Legistar for public review and reopen the hearing for public testimony.

Yes: 5 - Commissioner Boeger, Commissioner Harkin, Commissioner Nevis, Commissioner Reinhardt and Commissioner Williams

ADJOURNED

The meeting was Adjourned at 9:55 a.m. by Chair Nevis.

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.