

FROM THE PLANNING COMMISSION MINUTES OF JUNE 9, 2016

AGENDA ITEMS

- 2. 07-1802** Hearing to consider a request for the Shinn Ranch Tentative Map [Tentative Map Time Extension TM07-1441-E] to allow two one-year time extensions to approved Tentative Map TM07-1441-R creating 146 residential lots, resulting in a new expiration date of December 4, 2018, on property identified by Assessor's Parcel Numbers 319-260-89, 331-070-01, 331-620-04, 331-620-05, 331-620-13, 331-620-18, 331-620-23, and 331-620-30, consisting of 182.9 acres, in the El Dorado area, submitted by Silverado Homes, Inc.; and staff recommending the Planning Commission take the following actions:
- 1) Determine that pursuant to the California Environmental Quality Act (CEQA) Guidelines Sections 15162 and 15164 there is no substantial evidence requiring the preparation of a Subsequent Mitigated Negative Declaration or an Addendum to the existing Mitigated Negative Declaration, adopted by the Board of Supervisors on December 04, 2007, as described in the CEQA Findings;
 - 2) Approve TM07-1441-E extending the expiration of the approved tentative map for a total of two years to December 4, 2018 based on the Findings and subject to the Conditions of Approval as presented; and
 - 3) Approve minor texts edits to the map including a correction to lot numbering, and edits to the development summary description to correct the General Plan designations, proposed zoning, assessor's parcel numbers, accurate site acreage, and total number of lots, in accordance with the approved revised vesting tentative map.
- (Supervisorial District 3)

Jennifer Franich presented the item to the Commission with a recommendation for approval. She stated that 4 public comments were received.

Chair Stewart confirmed that the previous changes to the project had been to clean up some typos.

Paul Eblen of Silverado Homes, applicant's agent, provided a history of their involvement and the reason for the need of the time extensions.

Discussion ensued on the issue of the land currently being leased for cattle grazing. County Counsel David Livingston stated that this was not what was before the Commission today and this issue could be addressed through the Code Enforcement process, if needed.

At the request of Chair Stewart, County Counsel Livingston provided a summary of the parameters of what was before the Commission today and that it was not an opportunity to revisit the original project and the Conditions of Approval.

Catherine Reay made the following comments:

- Requested a continuance for a review of the Findings;

- Road width issues;
- Fire issues, including emergency routes for existing residents;
- Meeting notification range of previous hearings was not sufficient;
- “Good Ole Boy” network; and
- If project goes through, will file suit if any residences burn.

Steve Watkins made the following comments:

- Understood that project was already approved but still wanted to provide some information on it;
- Questioned if a public hearing with the Zoning Administrator occurred;
- Traffic concerns;
- Light pollution not addressed; and
- Loss of privacy.

Roxanne Allgeier made the following comments:

- Concurred with previous public comment heard today;
- Was promised a small development;
- Asked to stop this development and the Commission was their last resort;
- No one was notified of the original project’s public hearing and the decision was made very late at night;
- Would lose more agricultural land;
- Fold this back under Measure Y, which is the law; and
- Construction will push rattlesnakes into residential areas.

Lisa Arant made the following comments:

- No fire hydrants;
- Promised power to gate;
- No notification in 2007;
- No notification of master development;
- Cattle grazing on the land is an issue;
- Hunting occurs on the property;
- Fire danger; and
- Road maintenance is currently handled by a very small group of residents.

Jean Whitman made the following comments:

- Light and noise pollution;
- Lied to on what would be developed; and
- Fire danger.

Chair Stewart closed public comment.

Mr. Eblen made the following rebuttal comments:

- Unaware of the cattle issues and the Shinn Family is still responsible for the property;

- The project is conditioned to require applicant to do road improvements at the Kingvale/Motherlode intersection;
- Shinn Ranch will have an HOA that will govern all open space and enforce the Fire Safe Plan;
- Shinn Ranch Road has a road maintenance agreement and once development starts on the property, they would become a part of that agreement; and
- Unaware that the gate is not operable and the other gate will be used fire access only.

Tiffany Schmid, Planning, explained that the original project had been required to go before the Planning Commission and then forwarded to the Board of Supervisors due to the rezoning request. Zoning Administrator hearings are typically reserved for the less complex projects and this original project would not have been appropriate for that level of hearing.

Chair Stewart clarified that action could still be taken today even if there was enforcement action.

In response to Commissioner Williams inquiry if Measure E applied at all, County Counsel Livingston explained that the original project had been a vesting Tentative Map and would be developed under the laws at the time it was approved.

Chair Stewart stated that he wasn't sure if he would have supported the original project, but that was not what was before them today.

There was no further discussion.

Motion: Commissioner Miller moved, seconded by Commissioner Hansen, and carried (5-0), to take the following actions: 1) Determine that pursuant to the California Environmental Quality Act (CEQA) Guidelines Sections 15162 and 15164 there is no substantial evidence requiring the preparation of a Subsequent Mitigated Negative Declaration or an Addendum to the existing Mitigated Negative Declaration, adopted by the Board of Supervisors on December 04, 2007, as described in the CEQA Findings; 2) Approve TM07-1441-E extending the expiration of the approved tentative map for a total of two years to December 4, 2018 based on the Findings and subject to the Conditions of Approval as presented; and 3) Approve minor texts edits to the map including a correction to lot numbering, and edits to the development summary description to correct the General Plan designations, proposed zoning, assessor's parcel numbers, accurate site acreage, and total number of lots, in accordance with the approved revised vesting tentative map.

AYES: Williams, Shinault, Hansen, Miller, Stewart

NOES: None

This action can be appealed to the Board of Supervisors within 10 working days.