



County of El Dorado

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

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

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

Thursday, August 24, 2023

8:30 AM

<https://edcgov-us.zoom.us/j/81878623058>

2850 Fairlane Court, Building C, Hearing Room
Placerville, CA
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 818 7862 3058. Please note you will not be able to join the live-stream until the posted meeting start time. 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.

To observe the live stream of the Planning Commission meeting go to <https://edcgov-us.zoom.us/j/81878623058>

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 video 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 via Zoom Webinar and available for Live Web Streaming on the internet (follow instructions listed under the Public Participation Instructions in this agenda). A video recording of this meeting will be published to the website.

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. 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.

CALLED TO ORDER / ROLL CALL

Meeting was called to order at 8:30 A.M. by Chair Nevis.

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

CALLED TO ORDER / ROLL CALL

Clerk's Note: Commissioner Reinhardt left the meeting at 12:25 p.m. and was absent for item #4.

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

CONSENT CALENDAR

- 1. [23-1512](#) Clerk of the Planning Commission recommending the Commission approve the MINUTES of the regular meeting of August 10, 2023.

This item was Approved on the Consent Calendar.

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

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: September 14, 2023 Planning Commission hearing.

Jefferson Billingsley, Deputy County Counsel, reported on the following: Cannabis study session scheduled on Board of Supervisors meeting on September 12, 2023.

PUBLIC FORUM / PUBLIC COMMENT

Public Comment: Ricky

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. [23-1513](#) Hearing to consider Pleasant Valley Monopine (Conditional Use Permit CUP23-0004) request to allow the construction and operation of a new unmanned 100-foot-tall monopine telecommunication facility. The monopine is proposed to include twelve (12) panel antennas, six (6) remote radio units (RRU), one (1) two-foot microwave dish antenna, one (1) GPS antenna, required antenna cabling, and two (2) ground mounted radio cabinets on a raised concrete pad within a 40-foot by 40-foot fenced lease area, enclosed by an eight-foot-tall chain-link fence. The property, identified by Assessor’s Parcel Number 098-100-083, consisting of 10.01 acres, is located on the west side of Pleasant Valley Road, approximately 380 feet south of the intersection with Ponderhill Way, in the Diamond Springs area, submitted by Assurance Development for Vertical Bridge/T-Mobile; Staff recommends the Planning Commission take the following actions:
- 1) Adopt the Negative Declaration based on the Initial Study prepared by staff in accordance with CEQA Guidelines; and
 - 2) Approve Conditional Use Permit CUP23-0004 based on the Findings and subject to the Conditions of Approval as presented.
- (Supervisory District 3)

Public Comment: K. Thornton

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

A motion was made by Commissioner Reinhardt, seconded by Commissioner Boeger, to:

- 1) Adopt the Negative Declaration based on the Initial Study prepared by staff in accordance with CEQA Guidelines; and**
- 2) Approve Conditional Use Permit CUP23-0004 based on the Findings and subject to the Conditions of Approval as presented with the addition of condition #25 as per the National Bald Eagle Management Guidelines to incorporate devices engineered to discourage bald eagles from building nests.**

Yes: 4 - Commissioner Boeger, Commissioner Payne, Commissioner Nevis and Commissioner Reinhardt

Noes: 1 - Commissioner Harkin

3. [23-1514](#) Hearing to consider Green Gables Growers (Commercial Cannabis Use Permit CCUP20-0004 and Variance V23-0002) to request a Commercial Cannabis Use Permit for the construction and operation of a cannabis cultivation facility for medical and adult-use recreational cannabis and a Variance for reduction of the 1,500 setback from two (2) school bus stops. The property, identified by Assessor’s Parcel Number 087-021-057, consisting of 105.9 acres, is located on the west side of South Shingle Road, approximately 1.5 miles north of the intersection with Latrobe Road, in the Latrobe area, submitted by Robert Sandie; staff recommends the Planning Commission take the following actions:
- 1) Adopt the Mitigated Negative Declaration 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); and
- Staff recommends the Planning Commission take one of the following actions following the public hearing:
- 1) Approve Commercial Cannabis Use Permit CCUP20-0004 and Variance V23-0002, based on the Findings, to be made by the Planning Commission, and Conditions of Approval as presented, or
 - 2) Deny Commercial Cannabis Use Permit CCUP20-0004 and Variance V23-0002.

(Supervisory District 2)

Public Comment: S. Tankersley, D. Kelzer, A. Rodriguez, A. Sudeikis, G. O’Connell, R. Miller, M. Pinette, E. Lowry, L. Tannenbaum, Tracy, L. Criswell, Kevin M., 525, D. Wolfson

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

A motion was made by Commissioner Payne, seconded by Commissioner Harkin to:

- 1. Adopt the Mitigated Negative Declaration 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);**
- 3. Approve Commercial Cannabis Use Permit CCUP20-0004 and Variance V23-0002, based on the Findings of Approval made by the Planning Commission, and Conditions of Approval as presented with the addition of Condition of Approval #48, requiring the applicant to use drip irrigation for the project.**

Yes: 3 - Commissioner Boeger, Commissioner Harkin and Commissioner Payne

Noes: 2 - Commissioner Nevis and Commissioner Reinhardt

A second motion was made by Chair Nevis, seconded by Commissioner Reinhardt to:

Adopt staff recommendations 1 and 2 and Deny Commercial Cannabis Use Permit CCUP20-004 and Variance V23-002 based on lack of findings for a variance.

Yes: 2 - Commissioner Nevis and Commissioner Reinhardt

Noes: 3 - Commissioner Boeger, Commissioner Harkin and Commissioner Payne

4. [23-1530](#)

Hearing to consider an appeal received from Dave and Liz Gates appealing the Planning and Building Department Director’s July 24, 2023 approval of Administrative Permit Application ADM-23-0014/Cameron Park CSD Pickle Ball Courts. The property, identified by Assessor’s Parcel Number 083-020-024, is located within Cameron Park Lake, a public park operated by the Cameron Park Community Services District, in the Cameron Park area; Staff recommending the Planning Commission take the following actions:

- 1) Deny the appeal and uphold the approval of Administrative Permit ADM23-0014, based on the Findings and subject to the Conditions of Approval as approved by the Planning Director.
(Supervisory District 2)

Public Comment: R. Hansen, K. Marsh, R. Dosh, J. Shields, M. Jonpoli, M. Brooks, L. Shields, E. Lowry, S. Solice, C. Nielsen, E. Soba, S. Parrish, M. Twede, Tracy

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

A motion was made by Commissioner Payne, seconded by Commissioner Harkin to:

1. Grant the appeal by Dave and Liz Gates and deny the Administrative Permit without prejudice due to concerns involving the increased numbers of users and impacts due to the close proximity of the courts to residences in ADM-A23-0003.
2. This finding is limited to the specific scenario presented in ADM-A23-0003.
3. The PC encourages the CSD, Pickleball community, and neighbors to work on resolution of these issues.

Yes: 4 - Commissioner Boeger, Commissioner Harkin, Commissioner Payne and Commissioner Nevis

Absent: 1 - Commissioner Reinhardt

ADJOURNED

Meeting was adjourned at 4:13 P.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.

*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.