

The Planning Commission of the County of Amador met at the County Administration Center, 810 Court Street, Jackson, California. The meeting was called to order at 7:00 p.m. by Chairman Lindstrom.

THOSE PRESENT WERE:

Planning Commissioners: Ray Lindstrom, District I, Chairman
Dave Wardall, District II
Caryl Callsen, District III
Andy Byrne, District IV
Ray Ryan, District V

Staff: Grace Pak, Deputy County Counsel
Susan C. Grijalva, Planning Director
Chuck Beatty, Planner
Heidi Jacobs, Recording Secretary

NOTE: The Staff Report packet prepared for the Planning Commission is hereby incorporated into these minutes by reference as though set forth in full. Any Staff Report, recommended findings, mitigation measures, conditions or recommendations which are referred to by Commissioners in their action motions on project decisions which are contained in the Staff Reports are part of these minutes. Any written material, petitions, packets, or comments received at the hearing also become a part of these minutes. The recording tapes of this meeting are hereby incorporated into these minutes by reference and are stored in the Amador County Planning Department.

A. Pledge of Allegiance

B. Approval of Agenda

MOTION: It was moved by Commissioner Ryan, seconded by Commissioner Byrne and unanimously carried to approve the agenda as presented.

C. Minutes:

MOTION: It was moved by Commissioner Callsen seconded by Commissioner Byrne and unanimously carried to approve the September 13, 2016 Planning Commission minutes as presented.

D. Correspondence: None.

E. Public Matters Not on the Agenda: None.

F. Recent Board Actions: Susan C. Grijalva, Planning Director, stated the Board of Supervisors certified the Final Environmental Impact Report prepared for the proposed final Amador County General Plan, adopted the CEQA Findings of Fact and Statement of Overriding Considerations, adopted the Mitigation Monitoring and Reporting Program, adopted the proposed final Amador County General Plan and approved the Implementation Plan on October 4, 2016.

AGENDA ITEMS

Item 1 - Request for Extension of Time for Parcel Map No. 2648, proposing the division of 128.94 acres into three parcels approximately 56, 36, and 37 acres in size (APN 0003-420-095-000).

Applicant: Western Pacific Enterprises, Inc. (David Lee)

Supervisory District II

Location: On the north side of Curran Road approximately ½ miles west of the most southerly junction of Curran Road and Camanche Road in the Camanche community.

Chuck Beatty, Planner, summarized the staff report which is hereby incorporated by reference into these minutes as though set forth in full.

Commissioner Byrne asked if any progress had been made on the conditions. Mr. Beatty stated the applicant is working on the conditions and has applied for a grading permit for the roads.

Commissioner Ryan stated the Commission approved a different request because it was a parcel map land division and not a large subdivision and would be agreeable to this request because it results in only three parcels.

Commissioner Byrne stated he would prefer granting less time than the full six years allowed and let the applicant return for another extension if needed but would not push the issue.

MOTION: It was moved by Commissioner Wardall, seconded by Commissioner Ryan and unanimously carried to grant a six-year extension of Tentative Parcel Map No. 2648.

NOTE: Mr. Beatty advised the Planning Commission approved the six year extension of Tentative Parcel Map Number 2648. If anyone wishes to appeal the decision of the Commission they can do so by submitting in writing to the Board of Supervisors a request for appeal prior to October 21, 2016, at 5:00 p.m. along with the appropriate appeal fee.

PUBLIC HEARINGS

Item 2 - Environmental document determination and possible project decision for Tentative Parcel Map No. 2849, proposing the division of 40.8+/- acres into two (2) parcels of 5.0+/- and 22.8+/- acres, with a 13-acre remainder.

Applicants: Buell Trust and James M. & Karen L. Buell Trust

Supervisorial District: I

Location: 16675 Butte Mountain Road, approximately 2.5 miles east of Clinton Road (APNs 044-240-030 & 044-240-043).

Chuck Beatty, Planner, summarized the staff report which is hereby incorporated by reference into these minutes as though set forth in full.

Jim Buell, applicant, was available for any questions.

MOTION: It was moved by Commissioner Wardall, seconded by Commissioner Callsen and unanimously carried to close the public hearing.

Commissioner Callsen stated she did not see any problems with the request.

Commissioner Byrne asked staff to explain what a remainder is. Mr. Beatty stated the subdivision map act allows for a remainder parcel that is not subject to the conditions of the subdivision, also going forward it could be divided again and is not considered a part of this land division.

Commissioner Ryan asked why the staff report states one current well and one current septic and one proposed well and one proposed septic. Mr. Buell explained that is an error; there are two existing wells and two existing septic systems to provide for the existing houses. Commissioner Ryan requested the staff report be corrected.

MOTION: It was moved by Commissioner Ryan, seconded by Commissioner Wardall and unanimously carried to find the mitigated negative declaration is the appropriate environmental document.

MOTION: It was moved by Commissioner Ryan, seconded by Commissioner Callsen and unanimously carried to approve Tentative Parcel Map No. 2849 proposing the division of 40.8+/- acres into two (2)

parcels of 5.0+/- and 22.8+/- acres, with a 13-acre remainder, subject to the findings and conditions contained in the staff report.

NOTE: Mr. Beatty advised the Planning Commission approved Tentative Parcel Map Number 2849. If anyone wishes to appeal the decision of the Commission they can do so by submitting in writing to the Board of Supervisors a request for appeal prior to October 21, 2016, at 5:00 p.m. along with the appropriate appeal fee.

Item 3 - Request by Western Performance Equine, Inc. for a Use Permit to allow a non-surgical equine orthopedic wellness clinic, including the construction of a 17,500 square-foot enclosed arena, 1,700 square-foot barn, and ½-acre parking area in the “X,” Special Use Zone District.

Applicant: Tracey Fannin and Martin Gardner, DVM

Supervisory District: II

Location: 5130 Buena Vista Road, approximately 1.1 miles south of Jackson Valley Road

Chuck Beatty, Planner, summarized the staff report which is hereby incorporated by reference into these minutes as though set forth in full.

Tracey Fannin, applicant, was available for any questions.

MOTION: It was moved by Commissioner Byrne seconded by Commissioner Ryan and unanimously carried to close the public hearing.

Commissioner Ryan asked if the surrounding property owners were notified. Mr. Beatty stated the surrounding property owners were notified of the public hearing.

MOTION: It was moved by Commissioner Callsen, seconded by Commissioner Wardall and unanimously carried to find the mitigated negative declaration is the appropriate environmental document.

MOTION: It was moved by Commissioner Callsen, seconded by Commissioner Ryan and unanimously carried to approve the use permit request by Western Performance Equine, Inc. subject to the findings and conditions contained in the staff report.

NOTE: Mr. Beatty advised the Planning Commission approved the use permit request for Western Performance Equine, Inc. If anyone wishes to appeal the decision of the Commission they can do so by submitting in writing to the Board of Supervisors a request for appeal prior to October 21, 2016, at 5:00 p.m. along with the appropriate appeal fee.

Item 4 – Review and recommendation to the Board of Supervisors relative to an Ordinance amending Chapter 19.24 District regulations by creating a Scenic Highway Corridor overlay zone district for the purpose of incorporating the existing Scenic Highway Development Standards and Regulations which apply to property located within the Amador County Scenic Highway 88 Corridor into Title 19 Zoning, instead of in the Amador County General Plan.

Applicant: County of Amador

Supervisory District: III

Location: All that portion of those properties lying within 250 feet of the centerline of State Highway 88 between the Dew Drop Fire Station and the Amador/Alpine County line.

Chuck Beatty, Planner, summarized the staff report which is hereby incorporated by reference into these minutes as though set forth in full.

Commissioner Wardall asked how this would impact property owners. Mr. Beatty explained there are no changes in the regulations, the Scenic Highway Corridor Regulations are not included in the new General Plan and need to be moved to Title 19 Zoning. Commissioner Wardall objected to the Scenic Highway Corridor being an ordinance, the General Plan is general and an ordinance is a regulation. He did not want to impact private property owners. Commissioner Ryan explained there is nothing being imposed that isn't already there. Commissioner Wardall stated he understood an ordinance to be a law, rule or regulation which is different than a plan. Mr. Beatty stated any development would be held to the same standard regardless if the Scenic Highway Corridor Regulations are in an ordinance or the General Plan.

Commissioner Ryan stated Commissioner Wardall brings up a valid point being concerned about property owner rights but understood that the implementation of the Scenic Highway Corridor Regulations would remain the same regardless of which document it is in.

Susan Grijalva, Planning Director, referred the Commissioners to Section 261 of the California Streets and Highways Codes which require local governments to "have taken such action as may be necessary to protect the scenic appearance of the scenic corridor." She explained that when everything in the Scenic Highway Corridor Regulations was originally implemented the County placed it in the General Plan. She stated the County did not include the Scenic Highway Corridor Regulations in the comprehensive update of the General Plan. The wording of the proposed ordinance is nearly identical; essentially these are development standards applied to the properties in the corridor that will be implemented in the same way they have been in the past. Ms. Grijalva stated the regulations affect only a few private property owners.

Grace Pak, Deputy County Council, agreed with Ms. Grijalva's explanation and stated in order to retain the scenic highway designation the proposed ordinance is the appropriate mechanism.

MOTION: It was moved by Commissioner Byrne, seconded by Commissioner Callsen and carried to recommend the Board of Supervisors approve an ordinance amending Chapter 19.24 District Regulations by creating a Scenic Highway Corridor overlay zone district for the purpose of incorporating the existing Scenic Highway Development Standards and Regulations which apply to property located within the Amador County Scenic Highway 88 Corridor.

AYES: Commissioners Byrne, Callsen, Ryan and Chairman Lindstrom

NOES: Commissioner Wardall

NOTE: Mr. Beatty announced the Planning Commission recommended approval of the ordinance; this item will be scheduled for a future Board of Supervisors meeting and notices will be mailed out.

Adjournment: At 7:35 p.m. Chairman Lindstrom adjourned this meeting of the Planning Commission, to meet again on November 8, 2016 or thereafter.

_____/s/_____
Ray Lindstrom, Chairman
Amador County Planning Commission

_____/s/_____
Heidi Jacobs, Recording Secretary
Amador County Planning Department

_____/s/_____
Susan C. Grijalva, Planning Director
Amador County Planning Department