

ITEM 1  
APPLICATION MATERIALS

## ENVIRONMENTAL INFORMATION FORM

(To be completed by applicant; use additional sheets as necessary)  
Attach plans, diagrams, etc. as appropriate

### GENERAL INFORMATION

Project: **Tentative Parcel Map No. 2866**  
Date Filed: **5.15.2017**

Applicant: **Edwin Lands, LLC** Record Owner: **Same**  
**Attn: Thomas Swett**  
**PO Box 1730**  
**Ione, CA 95640**

APN: **005-020-019, 005-030-005, 005-050-008, 005-060-015, 005-080-019**  
Zoning: **"R1-A" and "M"**  
Gen. Plan: **I-Industrial, MRZ, A-G**

List and describe any other related permits and other public approvals required for this project, including those required by city, regional, state and federal agencies:

### WRITTEN PROJECT DESCRIPTION

Include the following information where applicable, as well as any other pertinent information to describe the proposed project:

1. Site Size
2. Square Footage of Existing/Proposed Structures
3. Number of Floors of Construction
4. Amount of Off-Street Parking Provided (provide accurate detailed parking plan)
5. Source of Water
6. Method of Sewage Disposal
7. Attach Plans
8. Proposed Scheduling of Project Construction
9. If project is to be developed in phases, describe anticipated incremental development.
10. Associated Projects
11. Subdivision/Land Division Projects: Tentative map will be sufficient unless you feel additional information is needed or the County requests further details.
12. Residential Projects: Include the number of units, schedule of unit sizes, range of sale prices/rents and type of household size expected.
13. Commercial Projects: Indicate the type of business, number of employees, whether neighborhood, city or regionally oriented, square footage of sales area, loading facilities.
14. Industrial Projects: Indicate the major function, estimated employment per shift, estimated occupancy, loading facilities and community benefits to be derived/project.
15. Institutional Projects: Indicate the major function, estimated employment per shift, estimated occupancy, loading facilities and community benefits to be derived/project.
16. If the project involves a variance, conditional use permit or rezoning application, state this and indicate clearly why the application is required.

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Butte County

MAY 15 2017

PLANNING DEPARTMENT

**APPLICATION FORM AND CHECKLIST FOR  
TENTATIVE PARCEL MAP AND SUBDIVISION MAP**

**The following information shall be included with this application:**

1. Parcel Map Number: **2866**  
Subdivision Name/Number:
2. Subdivider and/or Land Owner: **Edwin Lands, LLC, a Delaware limited liability company**  
  
Attn: **Thomas Swett**  
Address: **PO Box 1730, Ione, CA 95640**  
Phone: **(209) 274-2777 or (209) 256-5802**
3. Surveyor: **Toma and Associates, 41 Summit St., Jackson, CA 95642**
4. Assessor Plat Number: **005-020-019, 005-030-005, 005-050-008, 005-060-015 and 005-080-019**
5. Existing Zoning District: **See Attachment** Proposed Zoning: **"M"**
6. General Plan Classification: **See Attachment**
7. Date Application Submitted: **5, 15, 2017**
8. Proposed Use of Parcels: **Manufacturing**
9. Special Use Districts (if applicable): **AFPD, ACUSD**
10. Source of Water Supply: **Individual Wells**
11. Sewage Disposal System: **Indiv. Septic Systems**
12. Signature of Landowner/Applicant: \_\_\_\_\_
13. Signature of Surveyor: \_\_\_\_\_

**The following shall be included with this application:**

- ✓ Thirty-five (35) copies of tentative map  
Option for 35 copies:  
15 copies 18" x 26" in size (folded to 6" x 9-1/2" in size)  
20 copies 11" x 17" in size
- ✓ One (1) copy of Assessor's Plat Map
- ✓ Two (2) copies of deed(s)
- ✓ Two (2) copies of completed environmental information form (Sections 19, 30 and 31 require description and photos)
- ✓ Two (2) copies of preliminary map report
- ✓ One (1) reduced 8-1/2" x 11" copy of tentative map
- ✓ Application fee (see Fee Schedule)
- ✓ Copy of receipt of Health Department fee
- ✓ Completed and signed Indemnification Agreement
- ✓ If your project access off a State highway, provide encroachment permit or other pertinent information (e.g., a road maintenance agreement if your project access from a road directly connected to a State highway)

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MAY 15 2017

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Are the following items applicable to the project or its effects? Discuss below all items checked "yes". Attach additional sheets as necessary.

- | YES                      | NO                                  |  |
|--------------------------|-------------------------------------|--|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 17. Change in existing features, lakes, hills, or substantial alteration of ground contours                |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 18. Change in scenic views or vistas from existing residential areas, public lands or roads                |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 19. Change in pattern, scale or character of general area of project                                       |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 20. Significant amounts of solid waste or litter   |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 21. Change in dust, ash, smoke, fumes or odors in the vicinity   |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 22. Change in lake, stream, ground water quality/quantity, or alteration of existing drainage patterns     |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 23. Substantial change in existing noise or vibration levels in the vicinity                               |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 24. Site on filled land or on slope of 10 percent or more  |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 25. Use or disposal of potentially hazardous materials, such as toxic substances, flammables or explosives |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 26. Substantial change in demand for municipal services (police, fire, water, sewage, etc.)                |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 27. Substantial increase in fossil fuel consumption (electricity, oil, natural gas, etc.)                  |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 28. Relationship to a larger project or series of projects   |

**ENVIRONMENTAL SETTING**

29. Describe the project site as it exists before the project, including information on topography, soil stability, plants and animals, and any cultural, historical or scenic aspects. Describe any existing structures on the site and the use of the structures. Attach photographs of the site.
30. Describe the surrounding properties, including information on plants and animals, and any cultural, historical or scenic aspects. Indicate the type of land use (residential, commercial, etc.), intensity of land use (single family, apartments, shops, department stores, etc.) and scale of development (height, frontage setbacks, etc.) Attach photographs of the vicinity.
31. Describe any known mine shafts, tunnels, air shafts, open hazardous excavations, etc. Attach photos of these known features.

I hereby certify that the statements furnished above and in the attached exhibits present the data and information required for this initial evaluation to the best of my ability, and that the facts, statements and information presented are true and correct to the best of my knowledge and belief.

Date: 5-12-17 Signature: 

APPROVED  
Amador County

MAY 15 2017

PLANNING DEPARTMENT

**ENVIRONMENTAL SETTING:**

**29.** The project proposes to change the zoning to M on a portion of Edwin Lands, LLC's property to conform with the new General Plan and to parcelize that area along logical features/boundaries such as rights of way. Each proposed parcel is contiguous to a public road. The project does not contemplate or foresee the development of any proposed parcel.

The existing site conditions are dominated by open rangeland with scatter, discontinuous oak woodlands. The property has historically been and is currently being used for cattle ranching, and mining. There are no structures on the property.

**30.** The project area is adjacent to Amador County's industrial park, the Indian Hill industrial property, SGI's granule processing facility, and the Edwin Center industrial area. Highway 104 and Ione-Michigan Bar Road border or traverse the property as to the active Union Pacific mainline track. Other adjacent uses include multiple active mining operations and cattle grazing.

**31.** The project includes the idled Jackson Valley Energy Pit 232 operation, of which Amador County has taken jurisdiction for purposes of reclamation. Up until approximately the 1920s, the project area was mined underground for lignite coal, primarily in and around the Pit 232 location and near the intersection of Highway 104 and Ione-Michigan Bar Road. There are no known openings to any such tunnels.

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Amador County

MAY 15 2017

PLANNING DEPARTMENT

# VESTING TENTATIVE PARCEL MAP No. 2866

EDWIN LANDS, LLC  
a Delaware limited liability company  
20060015249 and 20140006343  
BEING A PORTION OF THE RANCHO ARROYO SECO  
COUNTY OF AMADOR, STATE OF CALIFORNIA

Scale: Noted  
TOMA & ASSOCIATES, INC.  
ENGINEERING - SURVEYING - PLANNING  
41 Summit Street, Jackson, CA 95642  
(925) 223-0158

GENERAL NOTES AND STATEMENTS

1. RECORD OWNER: EDWIN LANDS, LLC, 415 Madison Street, Jackson, CA 95642, PHONE: (925) 223-0158, FAX: (925) 223-0159
2. SURVEYOR: TOMA & ASSOCIATES, INC., 415 SUMMIT STREET, JACKSON, CA 95642, PHONE: (925) 223-0158, FAX: (925) 223-0159
3. A/E/N: SEE APPLICABLE GENERAL PLAN TABLE
4. ZONING: SEE APPLICABLE GENERAL PLAN TABLE
5. GENERAL PLANS: SEE APPLICABLE GENERAL PLAN TABLE
6. DEED REFERENCE: 20060015249 AND 20140006343
7. PROPOSED USE: INDUSTRIAL MANUFACTURING
8. WATER: INDIVIDUAL WALLS
9. SEWAGE DISPOSAL: INDIVIDUAL SEPTIC SYSTEMS
10. FIRE PROTECTION: AMADOR COUNTY UNIFIED SCHOOL DISTRICT
11. SCHOOLS: AMADOR COUNTY UNIFIED SCHOOL DISTRICT
12. UTILITIES: POWER WILL BE SUPPLIED BY PG&E AND TELEPHONE WILL BE SERVED BY AT&T
13. EASEMENTS: PUBLIC UTILITY EASEMENTS WILL BE THE FEET FOR EACH USE OF ALL INTERIOR LOT BOUNDARIES. THERE WILL BE A 10' EASEMENT FOR ALL INTERIOR LOT BOUNDARIES. A 30' EASEMENT FOR ALL INTERIOR LOT BOUNDARIES. A 10' EASEMENT FOR ALL INTERIOR LOT BOUNDARIES. A 10' EASEMENT FOR ALL INTERIOR LOT BOUNDARIES.
14. SETBACKS: SETBACKS SHALL BE TWENTY FEET ALONG ALL DRAINAGE COURSES.
15. SPECIAL DISTRICTS: AMADOR FIRE PROTECTION DISTRICT
16. FINANCING: FINANCING MAY BE SUBMITTED IN MULTIPLE PHASES.
17. FLOOD ZONE: AREAS SUBJECT TO FLOOD WATER INUNDATION AND WITHIN THE "SPECIAL FLOOD HAZARD AREA" SHALL BE INDICATED BY THE 1% ANNUAL FLOOD AND 500 YEAR FLOOD MAP FOR AMADOR COUNTY, CALIFORNIA, DATED MAY 20, 2010. DO NOT FALL WITHIN THE PROJECT BOUNDARY BUT DO AFFECT SOME OF THE APNs SHOWN.

MINIMUM LOT SIZE: 2.81 ACRES  
MINIMUM LOT WIDTH: 251 FEET  
THE DEVELOPER PLANS TO CONSTRUCT ALL IMPROVEMENTS REQUIRED FOR THE CREATION OF LOTS AND APPROVAL OF THE TENTATIVE MAP.  
THERE ARE NO PUBLIC AREAS OR SCENIC EASEMENTS PROPOSED ON THIS PROJECT.  
THIS PROJECT DOES NOT BE WITHIN 1000 FEET OF AMBULATORY FACILITIES BENEATH A FLOOD PATH OR WITHIN SPECIAL USE ZONING.  
NO SIGNIFICANT EROSION CONTROL MEASURES ARE PROPOSED. THE FOLLOWING EASEMENTS ARE NOTED IN PRELIMINARY REPORT ORDERING 4152-1495 PREPARED BY WESTER AND TITLE COMPANY AND DATED MAY 19, 2017 AS AFFECTING THIS PROPERTY (SEE 500-1000000 REPORT FOR COMPLETE LIST OF EASEMENTS):  
EXCEPTION 4: NO DOCUMENT REF  
EXCEPTION 5: 2.81  
EXCEPTION 6: 1971 EROSION SURVEY  
EXCEPTION 7: 70 W. JACKSON BAY ROAD  
EXCEPTION 8: PG & E EASEMENT  
EXCEPTION 9: SOUTHERN PACIFIC HARBOR COMPANY EASEMENT  
EXCEPTION 10: PG & E EASEMENT  
EXCEPTION 11: PACIFIC TELEPHONE AND TELEGRAPH COMPANY EASEMENT  
EXCEPTION 12: PG & E EASEMENT AND PACIFIC TELEPHONE AND TELEGRAPH COMPANY EASEMENT  
EXCEPTION 13: INTERESTS COMPRISED OF HIGHWAY RESIDENTIALS  
EXCEPTION 14: 201 OR 204, 207  
EXCEPTION 15: 631-041-024  
EXCEPTION 16: 631-041-024  
EXCEPTION 17: 199500071  
EXCEPTION 18: 199500071  
EXCEPTION 19: 20030010229  
EXCEPTION 20: 20030010229  
EXCEPTION 21: 2008002114  
EXCEPTION 22: 2008002114  
EXCEPTION 23: 2008002114

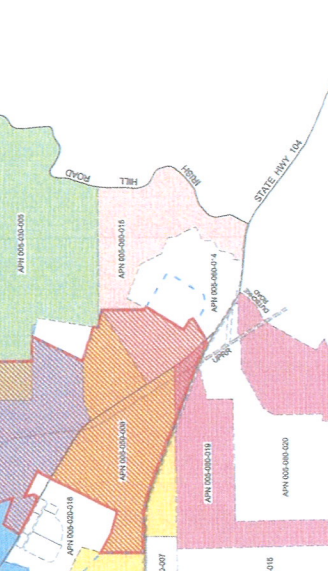
PREPARED FOR:  
EDWIN LANDS, LLC  
415 SUMMIT STREET  
JACKSON, CA 95642  
PHONE: (925) 223-0158  
FAX: (925) 223-0159  
DATE: 5/15/2017  
DRAWN BY: DMW  
SHEET: 1

BEING A PORTION OF THE RANCHO ARROYO SECO  
EDWIN LANDS, LLC  
PARCEL MAP No. 2866  
VESTING TENTATIVE  
AMADOR COUNTY, CALIFORNIA

AMADOR COUNTY  
MAY 15 2017  
PLANNING DEPARTMENT

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LOCATION	APN	ZONING	GEN. PLAN
1	APN 005-000-010	"TH" LA*	INDUSTRIAL, MFG and AG
2	APN 005-000-008	"TH" LA*	INDUSTRIAL, MFG and AG
3	APN 005-000-015	"TH" LA*	INDUSTRIAL, MFG and AG
4	APN 005-000-019	"M"	INDUSTRIAL

EXISTING APN LOCATION  
1" = 200ft

PROJECT AREA

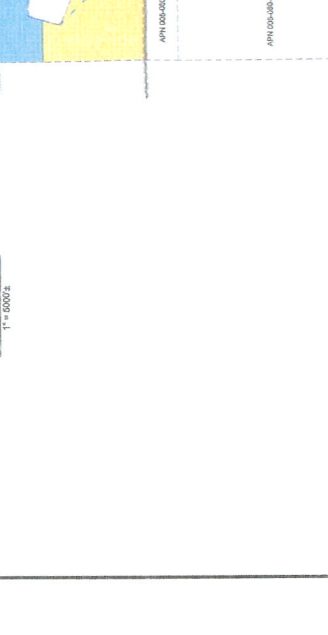
INDUSTRIAL GENERAL PLAN BOUNDARY

EXISTING ASSESSORS PARCEL LINE



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EXISTING APN LOCATION  
1" = 200ft

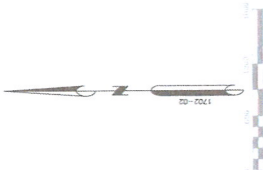
PROJECT AREA

INDUSTRIAL GENERAL PLAN BOUNDARY

EXISTING ASSESSORS PARCEL LINE

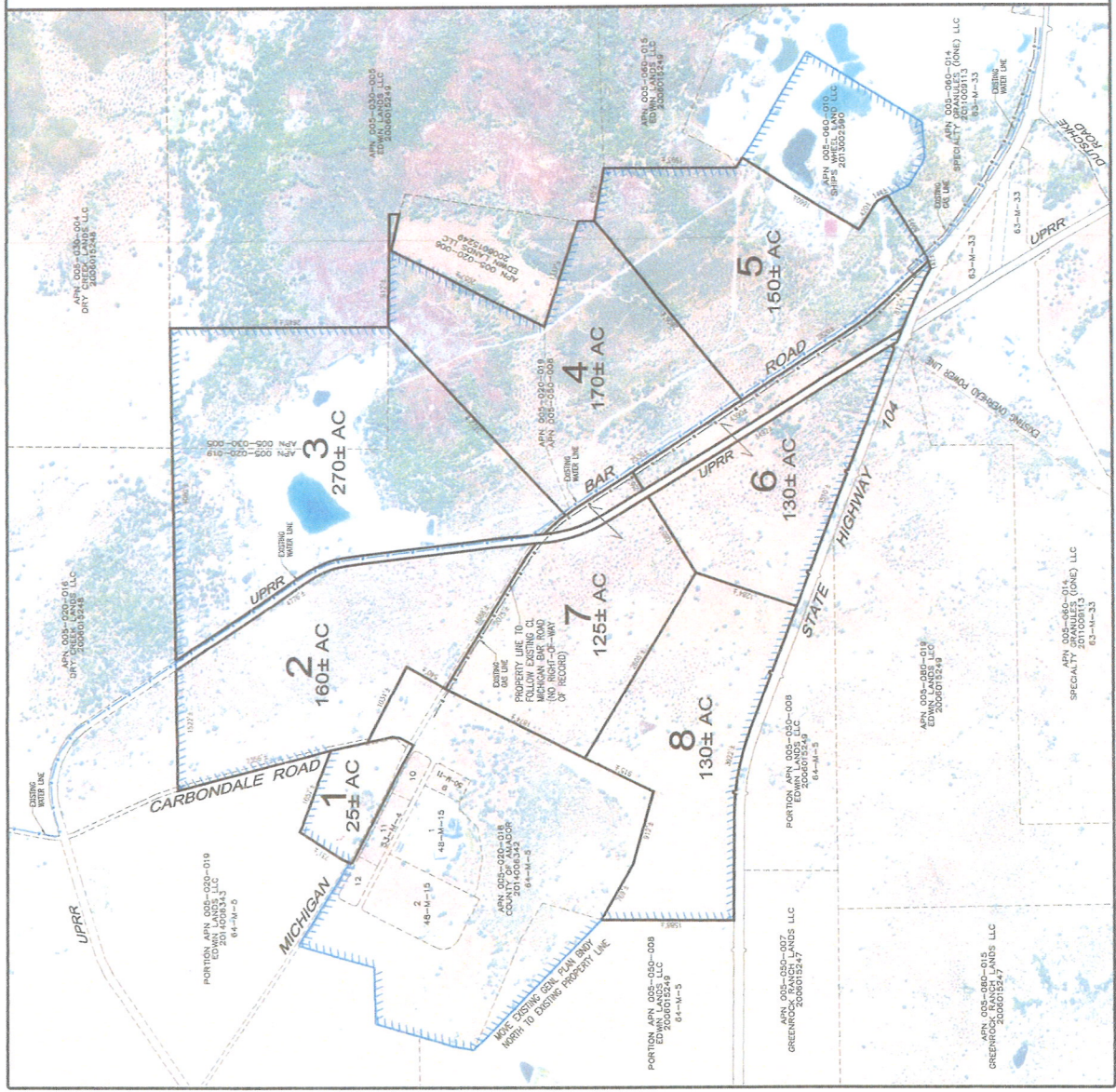
VESTING  
**TENTATIVE  
 PARCEL MAP No. 2866**  
 for  
**EDWIN LANDS, LLC**  
 a Delaware limited liability company  
 20060015249 and 20140006343  
 BEING A PORTION OF THE PARCEL MAP  
 CANTONIA  
 BEING A PORTION OF THE PARCEL MAP  
 CANTONIA

Scale: 1" = 600'  
 APRIL 2017  
 TOMA & ASSOCIATES, INC.  
 ENGINEERING - SURVEYING - PLANNING  
 4 Summit Street, Jackson CA 95642  
 (209) 223-0158



**TENTATIVE MAP LEGEND**

- EXISTING INDUSTRIAL GENERAL PLAN BOUNDARY
- EXISTING ADJACENT PARCEL LINE
- PROPOSED PROJECT BOUNDARY
- PROPOSED INTERIOR LOT LINE
- EXISTING GAS LINE
- EXISTING WATER LINE
- UPRR
- CL
- CENTRIFUGAL GRAVITACE TO CENTRELINE



ITEM 1  
CORRESPONDENCE



6/4/2018

County of Amador Mail - Against Edwin Lands Zoning Change!



Planning Department <planning@amadorgov.org>

## Against Edwin Lands Zoning Change!

Message

**Kathleen Green**

Sun, Jun 3, 2018 at 3:59 PM

To: [planning@amadorgov.org](mailto:planning@amadorgov.org)

Hello, I am Kathleen Green, representing my family.

I am against Edwin Lands request to change land zoning near lone from Residential to Manufacturing. I moved to this area to raise a family and run a ranch, and nearby manufacturing will harm the health and well being of both. We enjoy the peace and serenity of country living. Please preserve that for us and do not change our local zoning.

Sincerely,  
Kathleen Green

**CHATTEN-BROWN & CARSTENS**

TELEPHONE:(310) 798-2400  
FACSIMILE: (310) 798-2402

2200 PACIFIC COAST HIGHWAY  
SUITE 318  
HERMOSA BEACH, CALIFORNIA 90254  
www.cbcearthlaw.com

E-MAIL:  
DPC@CBCEARTH.LAW.COM

June 6, 2018

Planning Commission  
County of Amador  
810 Court Street  
Jackson, CA 95642-2132

Re: Objection To Request by Edwin Lands LLC for Zone Change From R1A to  
"M" Manufacturing District; Tuesday, June 12, 2018 Planning Commission  
Hearing

Honorable Commissioners:

On behalf of Ione Valley Land, Air, and Water Defense Alliance (Ione Valley LAWDA), we object to the zone change requested by Edwin Lands LLC for a zone change of approximately 1,500 acres from "R1A" to "M" Manufacturing District. Such a zone change would be poor public planning, and certainly may not be done on the basis of a claimed exemption from the California Environmental Quality Act (CEQA).

CEQA requires analysis of environmental effects that may accompany a zone change. (*City of Redlands v. County of San Bernardino* (2002) 96 Cal.App.4th 398.) In *City of Redlands*, the court set aside the County of San Bernardino's approval of a general plan amendment because the county did not provide evidence to show how such a shift in policy would have little or no effect on the environment, failed to consider future development, and failed to provide sufficient evidence or analysis of the potential environmental effects of the amendments. Similarly, the County here would violate CEQA if it approves the zone change without sufficient environmental analysis. The County's claim of an exemption from CEQA under section 15183 of the CEQA Guidelines is misguided because an exemption for projects that are consistent with density in a general plan is not applicable. Where the subject zone change would allow extensive manufacturing uses that are not allowed by current zoning, the project will have an impact on the environment that creates an exception to the exemption in section 15183 in any case.

The potential shift to "M" Manufacturing District zoning would allow the following land uses, which would not previously have been allowed:

4. Mining and quarrying, excavation of earth and minerals
5. Distillation of bones; fat rendering; dumping, disposal, incineration or reduction of garbage, sewage, offal, dead animals or refuse

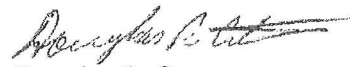
Planning Commission  
County of Amador  
June 6, 2018  
Page 2

6. Drilling for and removal of oil and natural gas
7. Junk yards, wrecking yards
8. Commercial hog raising
9. Manufacture of acids, explosives, fertilizer, gas, glue, gypsum, inflammable fluids or gases
10. Refining of petroleum and petroleum products; tank farms
11. Ore smelting
12. Stockyards, slaughterhouses, tanneries
13. Other uses which might be objectionable by reason of production or emission of noise, offensive odor, smoke, dust, bright light, vibration, radiation, or which involve the handling of explosives or dangerous materials

(County Code section 19.24.040.) Prior to approval of the requested zone change, the County must analyze the potential environmental impacts of allowing any one of these uses, or all of them, on the 1,500 acres that would be subject to the zone change. The County must prepare an environmental impact report rather than claim an exemption from CEQA because of the obvious adverse environmental impacts that would accompany the uses specified above.

Thank you for your consideration.

Sincerely,



Douglas P. Carstens

June 11, 2018

Planning Commission  
County of Amador  
810 Court Street  
Jackson, CA 95642

*Re: June 12, 2018 Agenda Item 2  
Request for a Zone Change from the "RIA," Single Family Residential and  
Agricultural District to "M," Manufacturing Zone District for 1,150 +/- acres to  
achieve consistency with the General Plan's Land Use Designation*

*Edwin Lands, LLC Response to Objection by Chatten-Brown & Carstens*

Honorable Commissioners:

This letter responds to Chatten-Brown & Carstens' opposition to Edwin Lands, LLC's request to rezone certain property in order to conform to the updated County General Plan. Chatten-Brown & Carstens claims that the County must prepare an environmental impact report ("EIR") pursuant to the California Environmental Quality Act ("CEQA") prior to approving the zone change. This is false. Zone changes that are necessary to achieve consistency with an updated General Plan are expressly exempt from CEQA review. (CEQA Guidelines § 15183.)

**Project Background.** As stated in the Staff Report, this request seeks to rezone approximately 1,150<sup>1</sup> acres from "RIA" (Single-family Residential and Agricultural), to "M" (Manufacturing). The subject property is adjacent to the County's industrial park. The request before the Planning Commission is for a zone change only. No parcel map, and no development proposal, is included in this request.

**Legal Requirement for Consistent Zoning.** The requested zone change is necessary to conform the subject property's zoning to the County's updated General Plan, which designates the property as Industrial. The Industrial designation "[p]rovides for a broad range of industrial uses", including manufacturing. (Amador County General Plan, p. LU-10.) The General Plan accordingly identifies the requested "M" (Manufacturing) zone as consistent with the Industrial land use designation. (Amador County General Plan, p. LU-14.) The property's current zoning, "RIA" (Single-family Residential and Agricultural) is not consistent with the General Plan Industrial designation.

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<sup>1/</sup> Note that Chatten-Brown & Carstens erroneously cites the acreage subject to this request as 1,500, rather than 1,150.

The state Planning and Zoning Law requires “zoning ordinances [to] be consistent with the general plan of the county or city . . .” (Gov. Code, § 65860(a).) Further, “in the event that a zoning ordinance becomes inconsistent with a general plan by reason of amendment to the plan . . . the zoning ordinance **shall be** amended within a reasonable time so that it is consistent with the general plan as amended.” (Gov. Code, § 65860(c) [emphasis added].) Here, the County’s amendment of the General Plan rendered the property’s zoning inconsistent with the Industrial designation. The County is now required to rezone the property to achieve consistency with the updated General Plan.

**CEQA Requirements.** CEQA Guidelines Section 15183 expressly exempts from environmental review zone changes that are necessary to achieve consistency with an updated General Plan. (CEQA Guidelines, § 15183(a)(i).) In *Wal-Mart Stores, Inc. v. City of Turlock* (2006) 138 Cal.App.4th 273 (*Wal-Mart Stores*), the Fifth District Court of Appeal held that a zone change was exempt from CEQA where (1) the zone change was consistent with the underlying General Plan and General Plan EIR, and (2) where the administrative record contained no evidence of any “reasonably foreseeable *project-specific changes* in the environment that are significant and *peculiar* to the zoning amendments or their site.” (*Wal-Mart Stores* at p. 422 [emphasis in original]; see also *Muzzy Ranch Co. v. Solano County Airport Land Use Commission* (2007) 41 Cal.4th 372, 388-389 [Section 15183 provides for streamlined review] (*Muzzy Ranch*); *Gilroy Citizens for Responsible Planning v. City of Gilroy* (2006) 140 Cal.App.4th 911, 935 [accord] (*Gilroy Citizens*).)

Chatten-Brown & Carstens cites to a single case, *City of Redlands v. County of San Bernardino* (2002) 96 Cal.App.4th 398 (*City of Redlands*), in support of its assertion that the County must prepare an EIR prior to approving the requested zone change. This case is inapplicable for at least three reasons:


- First, the case does not discuss or relate to the proper scope and application of CEQA Guidelines Section 15183, which is the CEQA exemption that specifically applies to zone changes of the type requested here. The cases that do address Section 15183, *Wal-Mart Stores*, *Muzzy Ranch*, and *Gilroy Citizens*, are cited above and all show that the requested zone change here does not require further environmental review.
- Second, the case relates to a county’s substantive amendment of its General Plan without preparing a supporting EIR. The case does not relate to a change in zoning to achieve consistency with an updated General Plan as required by Government Code Section 65860(c).
- Third, the court in *City of Redlands* determined that an EIR was required for the particular General Plan amendments sought by the county. The case does not

“require[] analysis of environmental effects that may accompany a zone change”, as Chatten-Brown & Carstens asserts. (See *McDowell & Craig v. City of Santa Fe Springs* (1960) 54 Cal.2d 33, 38 [a case may only be cited for issues actually heard and decided].)

The “project” at issue here involves a request to rezone certain property to “M” from “RIA” in order to achieve consistency with the County’s updated General Plan. This change is required by law. (See Gov. Code § 65860(c).) The project does not propose any specific development. The present request is consistent with the County General Plan for which the County certified an EIR, and does not present project-specific impacts. Accordingly, the project “shall not require additional environmental review.” (CEQA Guidelines, § 15183(a).)<sup>2</sup>

Should you have any questions concerning the matters discussed herein, please do not hesitate to contact me by telephone at (916) 382-4377, or by e-mail at [bjohnson@hthjlaw.com](mailto:bjohnson@hthjlaw.com).

Very truly yours,  
HARRISON, TEMBLADOR, HUNGERFORD & JOHNSON

By   
Bradley Johnson

cc: Tom Swett, Esq., Edwin Lands, LLC

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<sup>2/</sup> Other CEQA exemptions could also apply equally to this zone change request, including the “common sense” exemption, applicable where “it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment”. (CEQA Guidelines, § 15061(b)(3)).



RECEIVED

AUG 14 2018

AMADOR COUNTY  
PLANNING DEPARTMENT

Chairwoman Caryl Callsen  
Amador County Planning Commission  
810 Court St.  
Jackson, CA 95642

August 9, 2018

Re: Edwin Lands LLC request for a zone change from R1A to M

Dear Chairwoman Callsen and Members of the Commission:

The Foothill Conservancy will be submitting a detailed letter to voice our concerns regarding the rezoning of the Edwin Lands LLC lands for your September 11 meeting. The zoning on these lands should not be changed without full, site-specific CEQA analysis.

Manufacturing zoning allows projects that could adversely impact the community, natural and cultural resources. All potential site-specific impacts must be studied and mitigated before any change is approved. The categorical exemption cited by the Planning Department staff specifies that when land is being rezoned for consistency with the general plan, further environmental review may be required to evaluate site-specific impacts.

We believe this project could have potential, site-specific significant impacts to:

- Traffic
- Water use
- Water quality
- Biological resources
- Agricultural resources
- Cultural resources
- Air quality
- Greenhouse gas emissions
- Cumulative environmental effects

The general level of review in the general plan EIR is not adequate to evaluate the impacts of rezoning this specific 1,150 acres of land. If the rezone is approved without proper environmental review, that action would make any number of uses of the property permissible by right without a conditional use permit or further mitigation.

We will submit a more-detailed letter for the public hearing September 12, 2018.

Sincerely,

Susan Bragstad  
Director