

**AMADOR COUNTY PLANNING COMMISSION ACTION MINUTES  
SUMMARY MINUTES OF TAPE RECORDED MEETING  
May 14, 2019 – 7:00 P.M.**

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The Planning Commission of the County of Amador met on Tuesday, May 14, 2019 in the Board of Supervisors Chambers at the County Administration Center, 810 Court Street, Jackson, California. The meeting was called to order at 7:00 p.m. by Chair Byrne.

**THOSE PRESENT WERE:**

Planning Commissioners:     Dave Wardall, District 2  
                                          Jeff Brown, District 3  
                                          Andy Byrne, Vice Chair, District 4  
                                          Ray Ryan, District 5

Staff:                               Greg Gillott, County Counsel  
                                          Chuck Beatty, Planning Director  
                                          Ruslan Bratan, Planner I  
                                          Krista Ruesel, Planner I  
                                          Mary Ann Manges, Recording Secretary

**THOSE ABSENT WERE:**     Keith DesVoignes, District 1

**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 Wardall and carried to approve the agenda as presented.

**C. Minutes:** March 12, 2019 and April 9, 2019

**MOTION:** It was moved by Vice Chair Ryan, seconded by Commissioner Wardall, and carried to approve the amended minutes of March 12, 2019 and the minutes of April 9, 2019.

**D. Correspondence:** None

**E. Public Matters not on the Agenda:** Chair Byrne advised that anyone may address the Commission on any matter in the Commission's jurisdiction, but no action may be taken.

Mr. Gillott, County Counsel, introduced Glenn Spitzer as new Deputy Counsel. He shared Glenn was previously with the City Attorney's Office in San Diego and that he will be attending the Planning Commission meetings in the future.

Vice Commissioner Ryan shared that his son graduated from Amador High School in 2010 and also recently graduated from Texas A&M. He announced that NASA contracted with his son's engineering team as part of his graduation to build a product which went up on the space station on May 10<sup>th</sup>.

**F. Recent Board Actions:** Chuck Beatty, Planning Director, stated that the Board of Supervisors

approved a zone change which had been recommended for approval at the April 9, 2019 Planning Commission meeting for 383 acres just north of Highway 88 for the Matulich Trust.

**Public Hearing**

- Item 1 - (Continued from March 12, 2019) Appeal of the Planning Department's denial of a Use Permit for collector's car collection pursuant to County Code Section 10.32.030(E), which allows a collector to maintain one or more collector vehicles provided that minimum conditions are met.**

**Appellant:** Dale Schaefer

**Supervisorial District:** 3

**Location:** 15790 Schaefer Ranch Road, Pioneer, just west of the intersection of Schaefer Ranch Road and Pioneer Creek Road (APN 031-030-002)

Chair Byrne introduced the item.

Mr. Beatty shared the history and Staff Report which is hereby incorporated by reference into these minutes as though set forth in full.

Vice Chair Ryan stated that after viewing pictures that requirements 4, 5 and 6 have been met and questioned Staff about their site visit regarding requirements 1, 2 and 3 pertaining to the size of the parcel and the size and setbacks of storage area. Staff confirmed that requirements for 1, 2 and 3 were in compliance.

Chair Byrne asked if the appellant desired to speak.

Carl Schaefer spoke for his brother Dale who was also in attendance stating that cars have been placed within a half-acre area and set back 30 feet from the property line.

Chair Byrne asked if anyone else desired to speak.

**MOTION:** It was moved by Vice Chair Ryan, seconded by Commissioner Wardall, and carried to close the public hearing.

Vice Chair Ryan stated that he would be open to approving the use permit so long as conditions are added that the site is to be maintained and vegetation not growing up through the vehicles, vehicles are to remain organized, and County requirements are continually met.

Chair Byrne asked about scrap metal, boats, a semi-crushed van and a truck seen in the pictures.

Mr. Beatty replied that they are not included within the perimeter of cars that have been moved.

Vice Chair Ryan added that a condition could be added where they would need to be within the collector area.

Discussion ensued about the definitions of vehicles, a collectible, and an abandoned vehicle as well as whether the school bus, boats and trailers operable or non-operable count for a car collection. Additional questions raised include details about ownership of vehicles, leakage of any vehicles, tagged vehicles, other known approved collector vehicle permits, and clarification of code 10.32.030. Mr. Beatty shared the definition of operable where in the case of an automobile or truck if it starts and can move front or back 10 feet and headlights and taillights work that it is not subject to the ordinance. He also shared that any vehicles that are not included in the rows of organized vehicles fall under the abatement process. Mr.

Gillott added that he believes that boats are excluded. Mr. Beatty stated that the Board of Supervisors had previously determined that mining equipment on the property was not to be considered junk.

**MOTION:** It was moved by Commissioner Ryan, seconded by Commissioner Wardall, and carried to approve the use permit with the condition that the applicant maintain this collection according to County ordinance 10.32 and that the permit be valid for a term of 5 years. After the 5-year term, the applicant will have to apply for an extension of the use permit or remove the collection and bring the property into compliance with the ordinance.

AYES: Ryan, Wardall, Curtis  
NOES: Byrne  
ABSENT: DesVoignes

***NOTE:** Mr. Beatty, Planning Director, advised those present that the Planning Commission has approved an use permit for a collector's car collection subject to code 10.32 located at 15790 Schaefer Ranch Rd. Anyone wishing to appeal the decision may do so by filing a written appeal with the clerk of the Board of Supervisors no later than 5:00 p.m. on Friday, May 24<sup>th</sup>.*

**Item 2 - Request to rezone 100 acres from the "A," Agricultural District, to the "AG," Exclusive Agriculture District in conjunction with a request for inclusion of the same acreage into a California Land Conservation Act contract.**

**Applicant:** Michael F. Collier  
**Supervisorial District:** 5  
**Location:** On the north side of Tyler Road approximately two miles west of the county border. (APNs 014-150-039 and 014-150-038)

Chair Byrne introduced the item.

Mr. Beatty shared the Staff Report which is hereby incorporated by reference into these minutes as though set forth in full.

Chair Byrne asked if the applicant was present. The applicant was not present. He asked if anyone desired to speak with no one wanting to speak.

**MOTION:** It was moved by Vice Chair Ryan, seconded by Commissioner Wardall, and carried to close the public hearing.

Vice Chair Ryan asked Staff if the requirement to merge the parcels was from the Agricultural Advisory Committee or from Staff.

Mr. Beatty replied that the request to merge and rezone in included in the Ag Preserve application.

Vice Chair Ryan asked for confirmation that the recommendation to the Board of Supervisors would cover both of those.

Mr. Beatty replied that it would.

Commissioner Curtis added that if less than 100 acres a special use needs to be shown unless parcels are merged.

**MOTION:** It was moved by Vice Chair Ryan, seconded by Commissioner Curtis, and carried to recommend to the Board of Supervisors approval of the request and to include findings and requirements

as noted in the Staff Report.

AYES: Ryan, Curtis, Wardall, Byrne  
NOES: None  
ABSENT: DesVoignes

*NOTE: Mr. Beatty, Planning Director, advised those present that the Planning Commission has recommended approval of a zone change of 100 acres from "A," Agricultural District, to the "AG," Exclusive Agriculture District in conjunction with a request for inclusion of the same property into a California Land Conservation Act contract and a Public Hearing will be held at the Board of Supervisors at a later date.*

**Item 3 - Public Hearing - Use Permit request for a 116-foot faux water tank design commercial wireless service facility. The tower will include 12 antenna panels and related ancillary equipment.**

**Applicant:** Epic Wireless Group, LLC on behalf of AT&T Mobility, LLC  
**Supervisorial District:** 5  
**Location:** 3902 Highway 16, Plymouth, immediately opposite of the intersection with Old Sacramento Road (APN 001-150-015)

Chair Byrne recused himself, passed the gavel to Vice Chair Ryan, and left the room.

Vice Chair Ryan introduced the item.

Mr. Beatty shared the Staff Report which is hereby incorporated by reference into these minutes as though set forth in full.

Vice Chair Ryan asked if anyone desired to speak.

Ashley Smith, with Epic Wireless, shared that the location was chosen because of its already commercial use with Plymouth Sand & Gravel. She added that the project will be beneficial to Highway 16 by providing the community with the First Net Program dedicated to first responders, 300+ surrounding residents with high speed wireless internet, and AT&T LTE coverage and capacity.

Discussion ensued between Ms. Smith, Nick Tagas of Epic Wireless, staff, and Commissioners regarding the visibility of the tower during a fire and notification to affected agencies.

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

AYES: Curtis, Wardall, Ryan  
NOES: None  
RECUSED: Byrne  
ABSENT: DesVoignes

Commissioner Wardall shared that cell tower is needed for cell service, is an asset to communication, but that he would like to see a different color.

**MOTION:** It was moved by Commissioner Wardall, seconded by Commissioner Curtis, and carried to accept the mitigated declaration for this project.

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AYES: Curtis, Wardall, Ryan  
NOES: None  
RECUSED: Byrne  
ABSENT: DesVoignes

**MOTION:** It was moved by Commissioner Wardall, seconded by Commissioner Curtis, and carried to approve the project as proposed with the conditions and findings in the Staff Report

AYES: Curtis, Wardall, Ryan  
NOES: None  
RECUSED: Byrne  
ABSENT: DesVoignes

**NOTE:** *Mr. Beatty, Planning Director, advised those present that the Planning Commission had approved a Use Permit for a 116-foot faux water tank design commercial wireless service facility at 3902 Highway 16. Anyone wishing to appeal the decision may do so by filing a written appeal with the clerk of the Board of Supervisors no later than 5:00 p.m. on Friday, May 24<sup>th</sup>.*

Chair Byrne returned to the room.

**MOTION:** It was moved by Vice Chair Ryan, seconded by Commissioner Wardall and carried to adjourn the meeting.

**Adjournment:** At 8:01 p.m. Chair Byrne adjourned this meeting of the Planning Commission, to meet again on June 11, 2019.

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Andy Byrne, Chair  
Amador County Planning Commission

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Mary Ann Manges, Recording Secretary  
Amador County Planning Department

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Chuck Beatty, Planning Director  
Amador County Planning Department