

**AMADOR COUNTY PLANNING COMMISSION MINUTES
SUMMARY MINUTES OF TAPE RECORDED MEETING
September 12, 2023 – 7:00 P.M.**

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The Planning Commission of the County of Amador met on September 12, 2023 in the Board Chambers at the County Administration Center, 810 Court Street, Jackson, California. The meeting was called to order at 7:00 p.m. by Chair Wardall.

COMMISSIONERS PRESENT WERE: John Gonsalves, Chair, District 1
Dave Wardall, District 2
Earl Curtis, District 3
Stacey Munnerlyn, District 4
Mark Bennett, District 5

COMMISSIONERS ABSENT WERE: None

Staff: Glenn Spitzer, Deputy County Counsel
Chuck Beatty, Planning Director
Nicole Sheppard, Planner II
Krista Ruesel, Planner II
Mary Ann Manges, 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. Call to Order. The meeting was called to order by Chair Wardall at 7:00 p.m.

B. Pledge of Allegiance:

C. Approval of Agenda:

MOTION: It was moved by Commissioner Munnerlyn, seconded by Commissioner Bennett, and unanimously carried to approve the agenda noting that the minutes from July 11, 2023 were not listed on the agenda nor in the packet for approval and should be added to the agenda for the next regularly scheduled meeting.

D. Minutes: August 8, 2023

MOTION: It was moved by Commissioner Munnerlyn, seconded by Commissioner Bennett, and unanimously carried to approve the August 8, 2023 minutes.

AYES: Munnerlyn, Bennett

AYES NOT PRESENT: Gonsalves, Curtis, Wardall

E. Correspondence: Item 2 – Letters received from Amador Water Agency regarding Item 2.

F. Public Matters not on the Agenda: None.

G. Recent Board Actions: Mr. Beatty reported that at the July 25th meeting the Board of Supervisors reviewed some options for updating and amending the County's Winery Ordinance which will probably make their way to the Planning Commission in the next 60 days.

H. Agenda Items:

Item 1 - Request for a variance (V-23;6-1 Saunders) from the front 25-foot setback requirement, to allow construction of a detached garage 10 feet from the property line. (APN: 033-250-021)

Applicant: Lisa Saunders

Supervisory District: 3

Location: 16661 Alpine Lane, Pioneer, CA 95666

Chair Wardall introduced the item.

Ms. Sheppard shared the staff report which is hereby incorporated by reference into these minutes as though set forth in full.

Chair Wardall asked if the applicant is present and desires to speak.

Larry White, representative, stated that the application is straight forward and that the variance is for a detached garage to get belongings out of the snow.

Commissioner Gonsalves asked to clarify if the proposed garage is oriented toward the existing driveway so that vehicles are not encroaching beyond that into the boundary line.

Mr. White responded correct and said that no cars will be parked in that 10 foot area and added that roofing, color schemes, and everything will be matching the single family dwelling.

Chair Wardall asked if there is any public comment. There was none.

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

Chair Wardall asked for discussion amongst the Commission.

Commissioner Munnerlyn asked if there is any correspondence from any opposed neighbors.

Ms. Sheppard responded no and that CAL FIRE, AFD, and Caltrans have no comments or objections.

Commissioner Bennett asked if the neighbors were notified.

Ms. Sheppard responded that they were.

Commissioner Bennett commented that he is in favor of granting the variance. He shared his belief that complex laws are passed which require exemptions and spending of time in tertiary activities as opposed to production or distribution or fabrication and with time can lead toward the decline of society.

Chair Wardall stated that it seems reasonable, he has no reason to object, and that he likes how the owner is trying to match the look of the garage to the house.

MOTION: It was moved by Commissioner Gonsalves, seconded by Commissioner Munnerlyn, and unanimously carried to recommend that the Board of Supervisors approve the Categorical Exemption as the appropriate document.

MOTION: It was moved by Commissioner Gonsalves, seconded by Commissioner Curtis, and unanimously carried to recommend that the Board of Supervisors to approve V-23;6-1 under the standard variance findings of Section G of the staff report.

Ms. Sheppard stated that the Planning Commission has recommended approval of V-23;6-1 to the Board of Supervisors, and a hearing will be heard at a later date.

Item 2 - Request for Zone Change (ZC-23;7-1), including a request to establish two (2) new CLCA contracts consisting of ±444 acres and ±719 acres, in conjunction with the application for a Boundary Line Adjustment and a Zone Change for all parcels from the R1A, Single-family Residential and Agricultural Zoning District to the AG, Exclusive Agriculture Zoning District. All parcels have the AG, Agricultural General, General Plan Designation. Subject parcels are identified by APNs 011-090-007, 011-120-002, 011-120-018, 011-120-008, 011-120-009, 011-150-018, 011-150-002, and 011-150-001.

Applicant: John Joses and Lewis Yager

Supervisorial District: 2

Location: East of the City Limits of Lone and the intersection of CA State Highway 124 and CA State Highway 104

Chair Wardall introduced the item.

Ms. Ruesel shared the staff report which is hereby incorporated by reference into these minutes as though set forth in full. She added that conditions within that contract have been added to limit the by right uses that would require examination under CEQA. She explained that the conditions make it so there is not an increase in uses under the zone change and that if the property owners want some of the expanded AG zoning uses they will need to apply for a use permit.

Chair Wardall asked if the applicants desire to speak. They did not. He then asked if there is any public comment. There was none.

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

Chair Wardall shared that this is pretty straightforward and that this protects the county's open space and agriculture.

Commissioner Gonsalves asked if anyone has been working with Amador Water Agency (AWA) regarding their concerns about their exclusion in this application.

Chair Wardall said that Mr. Joses contacted him to meet to discuss the AWA letter and added that inadvertently the 6-acre AWA site was included and that it should be excluded from the project.

Ms. Ruesel clarified that the AWA letter was received prior to revisions to the application which now excludes AWA's parcel from the proposed contract and zone change.

Mr. Joses stated that Toma & Associates had originally excluded the acreage from the map and that they have not heard from AWA. He stated that the 6.4-acre AWA parcel has been added to the map as an excluded parcel, and is not part of the Williamson Act request. He explained that his grandfather deeded that property to PG&E in 1924 and in 1985 PG&E transferred it to the water agency.

Chair Wardall said for clarification the 6-acre AWA site is going to be excluded from the Williamson Act contracts and zone change.

Ms. Ruesel responded correct.

Commissioner Bennett asked if there is an easement that grants access to the AWA parcel.

Ms. Ruesel said that she does not believe that there is a deeded access.

Commissioner Gonsalves said that it is assuming they need access.

Mr. Jose shared that they searched the records and found a deed that goes back to 1924. He added that they do not know if PG&E paid anything for it, if there is any right of way, and cannot believe that PG&E made a deal without getting a right of way.

Deputy County Counsel Spitzer said as he understands the application, there is a parcel that is landlocked without an easement to it but it is not part of the action before the Planning Commission today.

Commissioner Munnerlyn said that it is an impressive amount of acreage to maintain open space to be included in the Williamson Act.

Commissioner Bennett asked what AWA wants to do with their parcel.

Commissioner Gonsalves responded that their letter says that they have a possibility for a water treatment facility, waste water treatment for the Camanche area, and that it was in the packet.

Commissioner Munnerlyn shared that it looks like they would rather swap it for something else closer to the treatment facility.

Chair Wardall said that it is not near the water treatment plant nor near a water treatment facility. He added that County Counsel said it wasn't before the Commission and that he recommends to proceed.

Commissioner Gonsalves stated that he understands and we don't have time to go into the details of whether or not AWA was aware of the property's status.

Commissioner Curtis commented that we are not here to adjudicate real estate law.

Commissioner Munnerlyn added that the Williamson Act property could still surround the landlocked parcel.

Chair Wardall reiterated that the subject property is continuous around the perimeter of the 6-acre parcel.

MOTION: It was moved by Commissioner Gonsalves, seconded by Commissioner Munnerlyn, and unanimously carried to recommend to the Board of Supervisors to approve ZC-23;7-1 under Sections I and J of the staff report.

MOTION: It was moved by Commissioner Munnerlyn, seconded by Commissioner Curtis, and unanimously carried to recommend approval to the Board of Supervisors that the Categorical Exemption as the appropriate document.

Ms. Ruesel stated that the Planning Commission has recommended approval of ZC-23;7-1 and the Categorical Exemption to the Board of Supervisors and a hearing will be heard at a later date.

MOTION: It was moved by Commissioner Gonsalves, seconded by Commissioner Curtis and unanimously carried to adjourn the meeting until the next regularly scheduled meeting on October 10, 2023.

Dave Wardall, Chair
Amador County Planning Commission

Mary Ann Manges, Recording Secretary
Amador County Planning Department

Chuck Beatty, Planning Director
Amador County Planning Department