



Planning Department <planning@amadorgov.org>

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**project: rqst for zone change from M to R1A for APN 030020095000, 030060074000, 030060075000 (bonneau)**

2 messages

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**LESLIE J BONNEAU** <lbonneau@sbcglobal.net>  
To: Amador County Planning Department <planning@amadorgov.org>

Mon, Jul 8, 2024 at 3:20 PM

Please see attached response.

thank you,

Leslie Bonneau, Linda Bonneau, Doris Bonneau

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 **planning2.pdf**  
310K

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**Amador County Planning Department** <planning@amadorgov.org>  
To: LESLIE J BONNEAU <lbonneau@sbcglobal.net>

Tue, Jul 9, 2024 at 8:27 AM

Your comments have been received.

Thank you.

Amador County Planning Department  
810 Court Street  
Jackson, CA 95642  
(209) 223-6380  
[planning@amadorgov.org](mailto:planning@amadorgov.org)

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TO: Amador County Planning Department

FROM: Bonneau family

REF: notice of change fo zoning from M to R1-A for APN's 030020095000, 030060074000, 030060075000

We'd like to offer this memo as an initial response to notice of a proposed change for these parcels. Unfortunately, five business days notice provides a property owner insufficient time to consider, much less respond appropriately, to a change which potentially reduces the value and marketability of their real property. We offer our initial questions and concerns but request that this matter be postponed for at minimum two months while the owners, and other parties with interests in these parcels can properly consider the ramifications and if necessary, consult counsel. Also, it does not appear as though adjacent property owners have been noticed.

A bit of history of these parcels may be helpful. These were purchased by the Bonneaus from the cement company (at that time Beazer West) 30+ years ago and are historically mining, mineral/quarry, timber/mill, and AG use. They had been owned by various cement companies for decades prior to this purchase. All approximately 286 acres but for the small landlocked parcel are under very restrictive conservation easements with the Mother Lode Land Trust. In addition, the south east parcel (commonly referred to as "south branch") is encumbered by water and grazing rights held by the Alberta Hale Land Trust. The south branch parcel allows for zero residential building (except the interior parcel, but as stated, it has no legal access from a public road and also is of insignificant residential value due to proximity to the creek bed and flooding) and the eventual intent of that property is to donate fee ownership to the Alberta Hale Land Trust. The 186 acres east of town (commonly referred to as the "sutter creek parcel" allows for a maximum of 2 residences. These properties were purchased with the intent to permanently restrict residential development as Kevin Bonneau (deceased) was a founding director of the Mother Lode Land Trust (at that time, the Amador Land Trust), and these were two of the first easements donated to that entity.

It is difficult to anticipate what the desired uses of these properties will be over the coming decades and centuries, particularly South Branch, since it will likely be owned by the non profit Alberta Hale Land Trust and has no potential use as residential due to the conservation easement. Of particular concern is the ever present threat of wildfire destroying the properties. Any catastrophic fire through the area will require fire fighting assets be dedicated to the town and outlying structures, leaving surrounding open space as the last priority. We are particularly sensitive to this risk as we have already lost hundreds of acres to the King and Caldor fires. The income to maintain the Alberta Hale Land Trust is derived from a handful of 100+ year old uninsurable rentals and a small cattle operation in Volcano. A loss of its assets

due to fire will necessitate it find other means of income to continue its existence. We are hesitant to do anything that may tie the hands of that entity in the future from all options. The Sutter Creek parcel will be owned by our heirs, which at this point consists of one 26 year old. We are also hesitant to try to anticipate the future and potentially tie his hands in what he may want or need to do with the property, particularly if there is a total fire loss.

With little time to consider potential issues, we do at this point have two questions we'd like addressed. 1. The GIS viewer information indicates the sutter creek parcel is "A-M" land use, and is zoned as "M", so why the need to change to R1A when its current zoning is consistent with that designation. Similarly, the South Branch parcel reflects "MRZ", which according to the general plan is consistent with a zoning of "M". Why the desire to change what appears to already be consistent? 2. What is the process by which the county determines any reduction in value or marketability of rights extinguished and method of compensation, if any, to the owners of those rights. Again, the South Branch parcel already has zero value as residential, leaving only the remaining rights in fee and as limited by the conservation agreement. (This matter has not yet been discussed with the MLLT due to the short time frame with which to respond, but we have made them aware of the notice.)

We are not necessarily completely opposed to the change, but there are many considerations, and a question as to what is the benefit both to the county and the property owners. Because of the unique circumstances of the conservation agreements, it seems of little to no benefit to the public and potentially a detriment to the property owner in this instance. As owners of other parcels in Amador though, we are interested in the policy answer to question #2 regarding the county potentially unilaterally changing the value and/or marketability of properties by a means other than the property owner's own application for rezoning, and what codes and policies are in place which govern the procedure for determining any change in value.

Thank you,

Leslie Bonneau

Linda Bonneau

Doris Bonneau

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