

ACTION MINUTES

LAND USE & COMMUNITY DEVELOPMENT COMMITTEE

April 29, 2010

MEMBERS PRESENT: Louis Boitano, Supervisor, District IV
Richard Forster, Supervisor, District II

Supervisor Boitano called the meeting to order at 10:30 a.m.

AGENDA: Approved.

CORRESPONDENCE:

- Memo from Planning Department regarding Small Wind Energy Ordinance
- Letter from Amador LAFCO regarding Agenda Item 6

APPROVAL OF MINUTES: The minutes of March 18, 2010 meeting were approved with the following change:

- Item 1, first sentence, change 4 to 5 hours per week to 2 to 5 hours per day.

PUBLIC MATTERS NOT ON THE AGENDA: None.

1. DISCUSSION REGARDING 15/30 REQUIREMENTS ON APN 030-220-026 AND OPTIONS/SOLUTIONS TO ACCOMMODATE HARDSHIP--Department of Transportation and Public Works

(Present: Barbara Belvoir and Jim McHargue, Public Works; Martha Shaver, County Counsel; Susan Grijalva, Planning Department; Michelle Opalenik and Mike Israel, Environmental Health; Larry Perez, Building Department; and Valerie Leon and son, Property Owner)

Barbara Belvoir, Public Works, said there is one section of the driveway located on APN 030-220-026 that is approximately 320 feet long and the grade is over 16 percent. The building permit and deviation on this parcel have expired; however, all of the inspections and conditions have been completed with the exception of paving the driveway.

Valerie Leon, property owner, said she would like to obtain a building permit final so she can sell the property. She said she would agree to pave the driveway upon sale of the property.

Committee Action: The Committee agreed to grant Ms. Leon a “conditional” final on her building permit and expunge the notice of violation recorded on her property with the understanding that the driveway be paved upon the sale of the property or within 2 years whichever occurs first. The Committee directed Martha Shaver and Larry Perez to prepare an agreement for signature by the owner and recordation on the property. This matter is to be placed on the Board’s Consent Agenda.

2. **DISCUSSION REGARDING A PROPOSED LAND EXCHANGE WITH THE EL DORADO NATIONAL FOREST AND THE BEAR RIVER SUMMER HOME TRACT ASSOCIATION--Mike Kirkley, Bear River Summer Home Tract Assoc.**
(Present: Chip Walker and Roger Stuart, Public Works; Martha Shaver, County Counsel; Susan Grijalva, Planning Department; Michelle Opalenik and Mike Israel, Environmental Health; and Mike Kirkley and Rich Farrington, Association Members)

Mike Kirkley and Rich Farrington shared the Bear River Summer Home Tract Association’s concerns and desires regarding acquiring privately owned land within the Eldorado National Forest boundary to exchange for the land on which the Bear River Recreation Residence Tract is located.

Committee Action: The Committee recommended Mr. Kirkley take the matter to the full Board to request a letter of support on behalf of the Bear River Summer Home. Elaine Williams is to prepare an ATF and put the matter on the May 25, 2010 Board meeting agenda.

3. **DISCUSSION AND RECOMMENDATION TO ESTABLISH A CONTRACT FOR WASHINGTON COUNTY VEHICLES USING OFF-SITE VENDORS--Land Use Agency and Department of Transportation and Public Works**
(Present: Chip Walker and Roger Stuart, Public Works; Martha Shaver, County Counsel; Susan Grijalva, Planning Department; and Mike Israel, Environmental Health)

Roger Stuart and Chip Walker reported on the Department of Transportation and Public Works’ findings regarding the cost of using local vendors to accommodate the County’s car washing needs.

Committee Recommendation: The matter was referred to GSA to negotiate a price with the vendors and is to be brought back to Admin Committee for a recommendation to the full Board on entering into a contract. Each Department would be responsible for providing for the cost in their budget.

4. **DISCUSSION REGARDING THE APPROVAL FOR USE OF HOME SPRING FILTER UNITS FOR WATER SYSTEMS IN THE UNINCORPORATED AREAS OF THE COUNTY.**
(Present: Martha Shaver, County Counsel; Susan Grijalva, Planning Department; and Michelle Opalenik and Mike Israel, Environmental Health)

Michelle Opalenik and Mike Israel said devices to treat surface water, such as the Homespring Central Water Purifier, are not currently on the certified water treatment device list for individual

homes but could be an option for use by public water or managing entities. A certified maintenance operator is required to maintain the equipment.

Allowing JVID and AWA to use these systems on a trial basis was discussed. However, prior to doing so, rules and regulations would need to be drafted and adopted.

5. REVIEW OF CSA#6 DEED AGREEMENTS, COSTS, AND PROGRAM IMPLEMENTATION--Environmental Health

(Present: Chip Walker and Roger Stuart, Public Works; Martha Shaver, County Counsel; Susan Grijalva, Planning Department; and Michelle Opalenik and Mike Israel, Environmental Health)

Mike Israel, Environmental Health, reviewed the two bedroom deed agreement, the maintenance agreement, and the alternative sewage disposal system agreement with the Committee. During discussion, the Committee requested that sections 3.1 Additional Obligations of Owner and 4. Department's Remedies Upon Default of the agreement be amended to soften the language.

Committee Recommendation: The Committee directed Martha Shaver, County Counsel, to draft new language as discussed and bring back the revised agreement for further review next month.

6. DISCUSSION OF DEVELOPING PROPOSED POLICIES FOR LAFCO'S CONSIDERATION REGARDING SPHERES OF INFLUENCE AND ANNEXATION ACTIONS--Planning Department.

(Present: Susan Grijalva, Planning Department; and Mike Israel, Environmental Health)

Susan Grijalva, Planning Department, said LAFCO has formed an ad hoc policy committee to review possible recommendations for LAFCO policies for Spheres of Influence for cities and districts and is looking for comments and suggestions from the Board.

After discussion the Committee indicated the desire for the following matters to be addressed:

- Williamson Act property
- Buffers
- Mineral lands
- Conservation easements
- Culturally, historically and environmentally sensitive areas
- Residents that do not want to be included in spheres of influence and annexations

Committee Action: The Committee directed staff to do further research, obtain further information, and obtain examples of what other Counties have done or are doing and bring that information back to the Committee.

**7. DISCUSSION REGARDING DEVELOPMENT OF A LOCAL POLICY ON THE USE OF BULK HAULED WATER FOR NEW AND ONGOING USES--
Environmental Health**

(Present: Susan Grijalva, Planning Department; and Mike Israel, Environmental Health)

Mike Israel said occasionally the Environmental Health Department is contacted regarding the use of bulk hauled potable water for various new projects or for existing homes or businesses, and to the best of his knowledge, there is not an established County policy regarding the use of bulk hauled water.

During discussion the Committee indicated they were opposed to allowing bulk hauled water for new uses or projects but were not opposed to using bulk hauled water for emergencies, seasonal use or financial hardships as long as the bulk hauled water was discontinued when a reliable source became available or was no longer needed.

Committee Action: The Committee directed staff to draft a policy and to bring it back to the Committee.

The next meeting was scheduled for May 20, 2010 at 10 a.m. The Committee changed the Land Use Committee meeting time from 10:30 a.m. to 10 a.m.

The meeting adjourned at 12:30 p.m.