

ACTION MINUTES

LAND USE & COMMUNITY DEVELOPMENT COMMITTEE

May 20, 2010

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

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

AGENDA: Approved.

CORRESPONDENCE: ▪ Memorandum to Jon Hopkins from Roger A. Stuart regarding County Fleet Car Wash Options

APPROVAL OF MINUTES: The minutes of April 29, 2010 meeting were approved with the following change:
 ▪Item 2, first sentence, delete *reasons for*,

PUBLIC MATTERS NOT ON THE AGENDA: Supervisor Forster confirmed the matter regarding CSA#6 would be back before the Committee next month.

ITEM 1. DISCUSSION AND DIRECTION REGARDING FEES--Environmental Health
(Present: Mike Israel, Environmental Health; and Wolf Hein, owner of Hein & Co. Bookstore.)

Mike Israel, Environmental Health, said Mr. Hein was before the Committee to request relief of his food facility annual permit fee and waiver of the late penalties. Mr. Israel estimated facilities like Hein & Co. would take approximately 1 hour per year of Environmental Health's time for inspections, file maintenance and administrative overhead.

Mr. Israel also asked for direction on whether or not to initiate review and revision of the Environmental Health Department's fees.

Committee Action: The Committee directed Environmental Health to create a new category, with a annual permit fee in the amount of \$96, for food facilities, such as Hein & Co., that do minor food handling. Late penalties for Hein & Co. were waived. The Committee further

directed Environmental Health to review their fees and revise the fees to break even. The Committee commented that now is a difficult time to raise fees.

ITEM 2. REQUEST FOR VARIANCE TO ON-SITE SEWAGE DISPOSAL REQUIREMENTS ON APN 030-250-038--Environmental Health
(Present: Mike Israel, Environmental Health; and Ace Marcellus, owner of APN 030-250-038-000)

Mr. Marcellus installed a septic system to replace an existing failing system. The replacement system was done without permit, does not meet the setback to a seasonal drainage, and does not meet the soil depth and groundwater separation requirements. Mr. Marcellus requested a variance to the 50 foot setback and relief from having to put in pretreatment.

Staff's recommendation was to grant the variance to setback to the seasonal drainage with the conditions that sampling of the creek be done, the system be brought back to code by installing pretreatment if the property sells, and a document be recorded on the property making future owners aware of the conditions placed on the property.

Committee Action: The Committee recommended to the Board of Supervisors that a variance to the 50 foot sanitary setback to the seasonal drainage be granted with the condition a document be recorded on APN 030-250-038 setting forth the following:

- Upon sale of the property pretreatment be installed to bring the septic system up to code.
- The property owner monitors the existing septic system quarterly (when the water is running in the seasonal drainage) by taking one sample upstream and one sample downstream and submit the results to the Environmental Health Department.
- Upon notification, the property owner allows the Environmental Health Department to monitor the sewage disposal system.

ITEM 3. CONTINUED REVIEW OF AB 45 (BLAKESLEE) DISTRIBUTED GENERATION: SMALL WIND ENERGY SYSTEMS. DISCUSSION AND DIRECTION REGARDING CONSIDERATION OF A SMALL WIND ENERGY SYSTEM ORDINANCE--Planning Department
(Present: Cara Agustin and Susan Grijalva, Planning Department)

Discussion took place regarding the drafting of a small wind energy system ordinance. Concerns mentioned were potential impact to neighbors and noise. Possible items to be addressed in an ordinance were exclusion of installations near airports and in historical, scenic or hilltop locations, fencing requirements, setback requirements to property lines, and restrictions on parcel size.

Committee Action: The Committee requested the matter be carried over to next month's meeting and asked Ms. Agustin to see if she could obtain a video for the Committee to view so they can get an idea of the noise generated by the wind energy systems.

ITEM 4. REVIEW AND COMMENT ON PROPOSED POLICIES FOR SPHERES OF INFLUENCE DEVELOPED BY THE LAFCO POLICY COMMITTEE--Planning Department
(Present: Susan Grijalva, Planning Department)

The Committee reviewed the draft policies provided by LAFCO and had the following comments and questions:

- First page, last paragraph of Roseanne Chamberlain's memo in agenda packet--The County is interested in having LAFCO consider sphere policies for *airports* in addition to those mentioned.
- 3.4.5 of Draft Policies Section 3.4: Spheres of Influence--Clarification on "agency plans."
- First bullet of 3.4.14 of Draft Policies Section 3.4: Spheres of Influence--Change "planned" to anticipated
- 3.4.22 of Draft Policies Section 3.4: Spheres of Influence--Request clarification on meaning of paragraph.
- 3.4.24 of Draft Policies Section 3.4: Spheres of Influence--Correct typographical error (it's to its).

Committee Action: The Committee directed Susan Grijalva to communicate their comments and questions to Roseanne Chamberlain, LAFCO Executive Officer.

ITEM 5. CONTINUED DISCUSSION AND RECOMMENDATIONS TO LAFCO REGARDING PROPOSED POLICIES FOR SPHERES OF INFLUENCE AND ANNEXATION ACTIONS--Planning Department
(Present: Susan Grijalva, Planning Department)

Discussion took place regarding the policies adopted by other counties and the desire of Amador County to protect its agricultural land.

Committee Action: The Committee continued this matter in order to further review the examples from other counties provided in the agenda packet. Susan Grijalva is to provide the Committee with Napa County's policies for review also.

The meeting adjourned at 11:50 a.m.