

CALAVERAS COUNTY PLANNING COMMISSION

Minutes for Meeting of March 6, 2008

An audio recording of the meeting is on file at the Community Development Agency, 891 Mountain Ranch Road, San Andreas, CA 95249. To schedule an appointment to review it, please contact the Planning Department at 209-754-6394. Minutes also may be viewed at www.co.calaveras.ca.us/planning_commission.asp.

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TAPE 1, SIDE A and B

1. CALL TO ORDER AND ROLL CALL

The regularly scheduled meeting of the Calaveras County Planning Commission was called to order at 9:03 a.m. in the Board Chambers located at 891 Mountain Ranch Road, San Andreas, California.

Present: Chair Suzanne Kuehl, District 3
Fawn McLaughlin, District 2
Bill Mason, District 4
Steve Kearney, District 5

Absent: Ted Allured, District 1

Staff Present: Robert Sellman; Planning Director, Debra Lewis; Planner II, Lauren Filice; Planner III, Barbara Sinnett; Planner I, Deborah Mullen; Public Works

Legal Staff: Janis Elliott, Assistant County Counsel

2. AGENDA CHANGES

- There was a revised Agenda to reflect the items continued.

3. PUBLIC COMMENT PERIOD

- No one spoke.

A. Policy & Procedures for Planning Commission Hearings. This item was continued from February 21st, 2008

Staff Spoke:

- Director Sellman presented Draft #3 that was presented today. Commissioners Kearney and Kuehl formed a sub-committee to review the Policies and Procedures.

- Janis Elliott, Assistant County Counsel clarified the requirements for the public hearing process.

The following people spoke:

- Mark Jones, MyValleySprings.com said he received the revised agenda this morning and would have some input for the committee. He also advocated video taping the meetings.
- Holy Mines asked if Draft #3 could be adopted today and amended after the committee meets.

A motion was made by Commissioner Mason and seconded by Commissioner McLaughlin to approve Draft #3 as presented today with two changes; rebuttal to be replaced by “response” and opponents to be replaced by “public”.

Motion was approved 4-0-0-1

4. CONSENT AGENDA:

- A. APPROVAL of MINUTES from the February 7, 2008, Planning Commission Meeting.

A motion was made by Commissioner Mason and seconded by Commissioner Kearny to approve the minutes as presented.

Motion was approved 4-0-0-1

- B. APPROVAL of MINUTES from the February 21st, 2008, Planning Commission Meeting.

Commissioner McLaughlin asked to change the words concern to “questions” on the Bettencourt and Zackary projects.

A motion was made by Commissioner Kearny seconded by Commissioner Mason to approve the minutes as amended.

The motion was approved 4-0-0-1

5. PUBLIC HEARINGS:

The chair asked for a motion to continue Item C (Murphy’s Oaks) to 3-20-2008 per the applicant’s request.

The following person spoke:

- John Hauselt spoke to confirm the date.

A motion was made by Commissioner Mason and seconded by Commissioner McLaughlin to grant the continuance to 3-20-2008.

Motion was approved 4-0-01

This item has been continued at the request of the applicant.

- A. 2007-077 TENTATIVE PARCEL MAP for RANDY W. FURR. The applicant is requesting approval of Land Use Application (2007-077) for a Tentative Parcel Map (TPM) to divide a 0.50 acre parcel (APN 061-047-028) located within the Conner Estates Subdivision in Copperopolis into two parcels being 0.25 acres each. The property was originally two parcels when the Conner Estates Subdivision was approved and was later merged into one parcel via a Parcel Map recorded in 2004. Item continued from February 7, 2008.

Staff Spoke:

- Debra Lewis, Planner, stated the applicant had requested a continuance to 4-17-08.

A motion was made by Commissioner McLaughlin and seconded by Commissioner Kearny to continue this item to 4-17-08

Motion was approved 4-0-01

- B. 2007-023 EXTENTION of TIME for CARSON HILL ROCK PRODUCTS for BRAD SUTTON. A request for approval of an Extension of Time for Carson Hill Rock Products Project 98-05 Mining Use Permit and Reclamation Plan. The Mining Use Permit, approved by Resolution 98-32 on June 4, 1998 by the Planning Commission, was a modification from the original Reclamation Plan to allow mining; processing, including blasting, crushing, concrete batch plant and asphalt hot plant; and off-site hauling, of the existing reclaimed stockpiles. The material is comprised of the overburden waste that was removed from the open pit, and the stockpiles on the project site that were former leach units consisting of crushed, spent and detoxified gold ore. These materials are valuable mineral resources for asphalt, road base and decorative rock. (APN's 064-013-17, 19, 20, 22 & 23, 064-015-07, 064-016-02, 04, 05, 06, 07 & 08, 064-017-01, 02, 03, 04, 05 & 06, 064-018-16 & 18).

Debra Lewis, Planner referred to the Central Valley Region, California Regional Water Quality Control Board letter acknowledging compliance.

Commissioner Mason inquired about the frequency of reviews.

Janis Elliott, Assistant County Counsel stated there was a cease and desist order from the Central Valley Region, California Regional Water Quality Control Board requiring the review.

Director Sellman spoke about mitigation measures and the necessity to have time frames for same.

The applicant, Brad Sutton addressed the commission.

A motion was made by Commissioner Mason and seconded by Commissioner Kearney to adopt a Negative Declaration with Findings as set forth in the Staff Report, and no mitigating measures beyond those in force for the project as described in Planning Commission Resolution 98-32 dated June 4, 1998.

Motion was approved 4-0-0-1

A motion authorizing the Chair to sign a Resolution 2008-09 of approval for Project 2007-023 Extension of Time for an additional seventeen (17) year term for 98-05 Mining Use Permit & Reclamation Plan for California Mine ID # 91-05-0018 Carson Hill Rock Products, with a new termination date of December 31, 2030, based on the following findings:

Motion was approved 4-0-0-1

- C. 2006-47 GENERAL PLAN AMENDMENT, ZONING AMENDMENT, TENTATIVE SUBDIVISION TRACT MAP, CONDITIONAL USE PERMIT for JACK KAUTZ, (Murphy's Oaks). The applicant is requesting a General Plan Amendment to the Murphy's – Douglas Flat Community Plan to change the land use designation from Commercial to Single Family Residential for 14.44 ± acres. Concurrently requested a Zoning Amendment from C2 (General Commercial) to R1-10,000 (Single Family Residential – 10,000 square foot minimum parcel size) for 14.09 ± acres and PS (Public Service) for 0.35 ± of an acre. Additionally requested is approval to divide the site into forty-six (46) single family lots, and two (2) Public Service lots in a phased development. Also requested is a Conditional Use Permit for a LPG Tank Farm for distribution of propane through gas mains located in the streets to individual lots. The subject property is located on west side of Bret Harte Drive at State Highway 4 in Murphy's. (APN 068-058-004 is a portion of the South ½ of Section 5, T3N, R14E, MDM).
- D. 2007-088 PARCEL MAP of COPPER VALLEY RANCH for CASTLE & COOKE COPPER VALLEY LLC/RANCHERIA DEL RIO ESTANISLAUS LLC. The applicant is requesting approval of a Parcel Map to divide ±4,350 acres into three (3) parcels (±1770.13 acres, ±2497.07 acres, ±82.80 acres). The current General Plan land use designation is FSR_5 (Future Single Family Residential 5-Acre Parcel Size) with existing zoning designations of A1 and A1-ME (General Agriculture and General Agriculture-Mineral Extraction, MRA_2A). The proposed action does not require changes to either the General Plan or zoning designations. The property is located immediately south of the Saddle Creek and

Tuscany Hills subdivision developments and west of Lake Tulloch, on a portion of the Rancheria del Rio Estanislao. The lands are comprised of APNs 053-020-005, 053-020-008, and 053-021-005, as modified by Boundary Line Adjustment actions #06-026 and #07-028. The property is located in Township 1 North, Range 12 East; and Township 1 South, Range 12 East, MDM, on un-surveyed Sections within the Rancheria Del Rio Estanislao land grant.

The Chair read the project description. Debra Lewis, Planner, stated there were no late comments.

The Chair opened the public hearing.

The applicant stated he was present and available for comments.

No one else spoke. The public hearing was closed by the Chair.

Debra Lewis, Planner, read the project description.

A motion was made by Commissioner Kearny and seconded by Commissioner McLaughlin confirming the project is statutorily exempt from environmental review pursuant to CEQA Guidelines Section 15061(b)(3), as the proposed project is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment.

Motion was approved 4-0-0-1

A motion was made by Commissioner Mason and seconded by Commissioner McLaughlin authorizing the Chair to sign **Resolution 2007-088** Parcel Map for Copper Valley Ranch based upon the findings as set forth in the Staff Report. The motion was seconded by Commissioner McLaughlin.

Motion was approved 4-0-0-1

6. PUBLIC COMMENT PERIOD / AGENCY COMMENTS:

Commissioner Kuehl asked the Commissioners to submit their comments on the Policies and Procedures to the newly formed sub-committee for same.

Director Sellman stated the Board of Supervisors is moving forward with a policy on driveway slopes.

6. ADJOURNMENT

- The meeting was adjourned 10:13 a.m.

Robert Sellman, Planning Director

Suzanne Kuehl, Planning Commission Chair

