



County of El Dorado

Planning and Building
Department
2850 Fairlane Court
Placerville CA 95667
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Minutes - Draft Planning Commission

Andy Nevis, Chair, District 4
Kris Payne, First Vice-Chair, District 2
Daniel Harkin, Second Vice-Chair, District 5
Brandon Reinhardt, District 1
Lexi Boeger, District 3

Aurora Osbual, Clerk of the Planning Commission
Karen L. Garner, Executive Secretary

Thursday, January 11, 2024

8:30 AM

<https://edcgov-us.zoom.us/j/86830829105>

2850 Fairlane Court, Building C, Hearing Room
Placerville, CA
OR
Live Streamed

PUBLIC PARTICIPATION INSTRUCTIONS: In accordance with new guidance from the California Department of Public Health, the meeting room will be open to the public. The meeting will continue to be live-streamed via Zoom.

Members of the public may address the Commission in-person or via Zoom to make a public comment. Seating is limited and available on a first-come, first-served basis. The public should call into 530-621-7603 or 530-621-7610. The Meeting ID is 868 3082 9105. Please note you will not be able to join the live-stream until the posted meeting start time. Although the County strives to offer remote participation, be advised that remote Zoom participation is provided for convenience only. In the event of a technological malfunction, the only assurance of live comments being received by the Commission is to attend in person. Except for a noticed teleconference meeting, the Planning Commission reserves the right to conduct the meeting without remote access if there is a malfunction.

To observe the live stream of the Planning Commission meeting go to <https://edcgov-us.zoom.us/j/86830829105>

If you are joining the meeting via Zoom and wish to make a comment on an item, press the "raise a hand" button. If you are joining the meeting by phone, press *9 to indicate a desire to make a comment. Speakers will be limited to 3 minutes.

By participating in this meeting, you acknowledge that you are being recorded.

If you choose not to observe the Planning Commission meeting but wish to make a comment on a specific agenda item, please submit your comments to the Clerk of the Planning Commission at planning@edcgov.us. Planning Services cannot guarantee that any public comment received the day of the Commission meeting will be delivered to the Commission prior to any action.

The Clerk and Planning staff is here to assist you, please call 530-621-5355 if you need any assistance with the above directions to access the meeting.

Planning Commission video recordings, Agendas, Staff Reports, Supplemental Materials and Minutes are available on the internet at: <http://eldorado.legistar.com/Calendar.aspx>

The County of El Dorado is committed to ensuring that persons with disabilities are provided the resources to participate in its public meetings. If you require accommodation, please contact the Clerk to the Planning Commission at 530-621-5355 or via e-mail, planning@edcgov.us.

All Planning Commission hearings are recorded via Zoom Webinar and available for Live Web Streaming on the internet (follow instructions listed under the Public Participation Instructions in this agenda). A video recording of this meeting will be published to the website.

The Planning Commission is concerned that written information submitted to the Planning Commission the day of the Commission meeting may not receive the attention it deserves. Planning Services cannot guarantee that any FAX, email, or mail received the day of the meeting will be delivered to the Commission prior to action on the subject matter.

For purposes of the Brown Act, Section 54954.2(a), the numbered items on this agenda give a brief description of each item to be discussed. Recommendations of the staff, as shown, do not prevent the Commission from taking other action.

Staff materials related to an item on this agenda submitted to the Commission after distribution of the agenda packet are available for inspection during normal business hours in Planning Services located at 2850 Fairlane Court, Placerville, CA. Such documents are also available on the Commission's Meeting Agenda webpage subject to staff's ability to post the documents before the meeting.

PROTOCOLS FOR PUBLIC COMMENT:

Public comment will be received at designated periods as called by the Commission Chair.

Except with the consent of the Commission, individuals shall be allowed to speak to an item only once.

Matters not on the agenda may be addressed by the general public during Public Forum/Public Comment. Comments during Public Forum/Public Comment are limited to three minutes per person. The Commission reserves the right to waive said rules by a majority vote. Public Forum/Public Comment is for comment only. No action will be taken on these items unless they are scheduled on a future agenda.

Public testimony will be received on each agenda item as it is called. Individuals will have three minutes to address the Commission. At the discretion of the Commission, time to speak on an item may be extended or shortened for all speakers.

Upon completion of public comment on an agenda item, the matter shall be returned to the Commission for deliberation. Members of the public shall not be entitled to participate in that deliberation, or be present at the podium during such deliberation, except at the invitation of the Commission for a point of clarification or question by the Commission.

Individual Commission members may ask clarifying questions but will not engage in substantive dialogue with persons providing input to the Commission.

If a person providing input to the Commission creates a disruption by refusing to follow Commission guidelines, the Chair of the Commission may take the following actions:

Step 1. Request the person adhere to the Commission guidelines. If the person refuses, the Chair may ask the Clerk to turn off the speaker's microphone.

Step 2. If the disruption continues, the Chair may order a recess of the Commission meeting.

Step 3. If the disruption continues, the Chair may order the removal of the person from the Commission meeting.

8:30 A.M.

CALLED TO ORDER / ROLL CALL

Meeting was called to order at 8:30 A.M. by Chair Nevis, with Commissioner Harkin participating remotely.

Present: 5 - Commissioner Boeger, Commissioner Harkin, Commissioner Payne, Commissioner Nevis and Commissioner Reinhardt

PLEDGE OF ALLEGIANCE TO THE FLAG

Commissioner Reinhardt led the Pledge of Allegiance to the Flag.

ADOPTION OF AGENDA AND APPROVAL OF THE CONSENT CALENDAR

(All items on the Consent Calendar are to be approved by one motion unless a Commission member requests separate action on a specific item.)

A motion was made by Commissioner Payne, seconded by Commissioner Boeger, to Adopt the Agenda and Approve the Consent Calendar with no changes.

Yes: 5 - Commissioner Boeger, Commissioner Harkin, Commissioner Payne, Commissioner Nevis and Commissioner Reinhardt

CONSENT CALENDAR

- 1. [24-0046](#) Clerk of the Planning Commission recommending the Commission approve the MINUTES of the regular meeting of December 14, 2023.

This item was approved on the Consent Calendar.

Yes: 5 - Commissioner Boeger, Commissioner Harkin, Commissioner Payne, Commissioner Nevis and Commissioner Reinhardt

END OF CONSENT CALENDAR

TO AND FROMS: Commission members may make a brief report on commissioner districts, committee meetings, department matters or make a brief announcement on matters of countywide concern (May be called at any time during the meeting)

Commissioner Payne reported on the following:
Title 25 at the Board of Supervisors.
Missouri Flat MC&FP

Chair Nevis reported on the following:
He will be bringing an item to the January 25, 2024 Planning Commission meeting to establish an ad-hoc committee for Cannabis.

Robert Peters, Deputy Director of Planning, reported on the following:
The January 25, 2024 Planning Commission meeting.
Introduced Ande Flower, new Discretionary Planning Manager.

PUBLIC FORUM / PUBLIC COMMENT

Public Forum/Public Comment will be heard after the consent calendar. If there are a large number of public participants, the public comment portion may be continued and conclude in a later portion of the meeting.

AGENDA ITEMS

- 2. [24-0047](#) Hearing to consider a request for a Finding of General Plan conformity on the proposed summary vacation of the roads within the Cameron Park Airport District, on property identified as Roads #8195, #8196, #8197, #8193, #8192, #8194, #8191, and #8198;and staff recommending the Planning Commission find the proposed summary vacation of the roads within the Cameron Park Airport District to be consistent with the applicable policies of the El Dorado County General Plan.
(Supervisory District 2)

Chair Nevis opened the public hearing and upon conclusion of public comment and staff input, closed the public hearing.

A motion was made by Commissioner Boeger, seconded by Commissioner Payne, to accept staff recommendation for a Finding of General Plan conformity and recommend that DOT engage in further discussion with the Cameron Park Airport District prior to the item going to the Board of Supervisors.

- Yes:** 5 - Commissioner Boeger, Commissioner Harkin, Commissioner Payne, Commissioner Nevis and Commissioner Reinhardt

3. [24-0049](#) Hearing to consider Atkins (Variance V23-0001) request to allow a reduction of the front setback from 20 feet to six (6) feet, and a reduction of the western side setback from five (5) feet to three (3) feet to allow for the construction of a two-car garage. The property, identified by Assessor’s Parcel Number 081-132-003, consisting of 0.17 acre, is located on the south side of Player Court, approximately 100 feet east of the intersection with Player Drive, in the South Lake Tahoe area, submitted by Jennifer Quashnick; staff recommends the Planning Commission take the following actions:
- 1) Find Variance V23-0001 is covered under the New Construction or Conversion of Small Structures exemption pursuant to CEQA Guidelines Section 15303(a); and
 - 2) Approve Variance V23-0001 based on the Findings, and subject to the Conditions of Approval as presented.
- (Supervisory District 5)

Public Comment: P. Lee, M. Durkee, L. Barnett

Chair Nevis opened the public hearing and upon conclusion of public comment and staff input, closed the public hearing.

A motion was made by Commissioner Harkin, seconded by Commissioner Payne to approve staff recommendations to:

- 1) Find Variance V23-0001 is covered under the New Construction or Conversion of Small Structures exemption pursuant to CEQA Guidelines Section 15303(a); and
- 2) Approve Variance V23-0001 based on the Findings, and subject to the Conditions of Approval as presented with the following modifications: 1) add to finding 3.1 that the shape of the parcel is also an exceptional circumstance and 2) to add the following sentence to the additional CEQA findings noted in the Staff Memo of January 8, 2024 "The size and location of the garage does not present unusual circumstances differentiating the project from others in the area."

Motion failed.

Yes: 2 - Commissioner Harkin and Commissioner Payne

Noes: 3 - Commissioner Boeger, Commissioner Nevis and Commissioner Reinhardt

A second motion was made by Commissioner Boeger, seconded by Chair Nevis to continue this item to February 22, 2024 for consideration of a variance from the front setback of the property and to stay out of the neighbor's 5 foot setback.

Yes: 5 - Commissioner Boeger, Commissioner Harkin, Commissioner Payne, Commissioner Nevis and Commissioner Reinhardt

4. [24-0048](#) Hearing to consider Kana (Commercial Cannabis Use Permit CCUP19-0003) request for a Commercial Cannabis Use Permit for a retail storefront for the sale of cannabis goods for medicinal and adult-use recreational in an existing building. The property, identified by Assessor’s Parcel Number 109-040-071, consisting of 0.52 acre, is located on the south side of Durock Road, approximately 0.25 mile west of the intersection with South Shingle Road, in the Shingle Springs Community Region, submitted by Bossy and Company, Inc. (Agent: Anthony Vasquez); Staff recommends the Planning Commission take the following actions:

- 1) Find the project Exempt under Section 15301 of the CEQA Guidelines; and
- 2) Approve Commercial Cannabis Use Permit CCUP19-0003, based on the Findings and subject to the Conditions of Approval as presented. (Supervisory District 2)

Chair Nevis opened the public hearing and upon conclusion of public comment and staff input, closed the public hearing.

A motion was made by Chair Nevis, seconded by Commissioner Boeger to:
1) Find the project Exempt under Section 15301 of the CEQA Guidelines; and
2) Approve Commercial Cannabis Use Permit CCUP19-0003, based on the Findings and subject to the Conditions of Approval as presented.

Yes: 4 - Commissioner Boeger, Commissioner Harkin, Commissioner Nevis and Commissioner Reinhardt

Noes: 1 - Commissioner Payne

ADJOURNED

Meeting was Adjourned at 11:29 a.m. by Chair Nevis.

All persons interested are invited to participate remotely (following instructions listed under the Public Participation Instructions in this agenda) and be heard or to write their comments to the Planning Commission. If you challenge the application in court, you may be limited to raising only those items you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Commission at, or prior to, the public hearing. Any written correspondence should be directed to Planning Services; 2850 Fairlane Court; Placerville, CA 95667.