

**STAFF REPORT TO: AMADOR COUNTY PLANNING COMMISSION
FOR MEETING OF JULY 14, 2009**

**Item 1 - Request for Extension of time for Tentative Subdivision Map No. 177
by Aaron Brusatori, et. al. (APN's 044-020-036 and -037).**

Background: This map project, consisting of the division of 9.7 acres of commercial property into 6 parcels ranging in size from .95 to 2.20 acres and a variance from County Code Section 19.48.110M located on the north side of Ridge Road at the intersection of Old Ridge Road and Eureka Road in the Sutter Hill area, was approved by the Board of Supervisors on January 27, 2009 and will expire on January 27, 2012.

County Code is consistent with the Subdivision Map Act time periods, which allows for a maximum of five years of requested extensions. This request, if approved, would bring the map expiration date to **January 27, 2017.**

Staff Recommendation: Staff recommends approval of the requested parcel map time extension.

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ITEM 2 - Public Hearing - Consideration of denial without prejudice due to lack of activity for Tentative Parcel Map No. 2648 proposing the division of 128.94± acres into 3 parcels 20 acres in size and 1 parcel 68.94± in size (APN 003-420-095-000).

Applicant: Western Pacific Enterprises, Inc. (David Lee)

Supervisorial District II

Location: On the north side of Curran Road approximately ½ miles west of the most southerly junction of Curran Road and Camanche Road in the Camanche area.

- A. General Plan Designation of Area:** A-T, Agricultural-Transitional (one family per 5-10 acres).
- B. Present Zoning:** "X," Special Use District.
- C. Source of Water:** Individual wells.
- D. Sewage Disposal:** Individual septic systems.
- E. Description:** This application is a request to divide 128.94 acres into 3 parcels 20 acres in size and 1 parcel 68.94 acres in size.

Background and Staff Recommendation: At the August 12, 2008 Planning Commission meeting (see staff report and minutes attached) the Commission granted an extension of the suspended time agreement to June 1, 2009 to provide the applicant with additional time to obtain the information necessary for the Technical Advisory Committee (TAC) to continue their review of the project. To date the Planning Department has not received any new information regarding this project. However, a letter to Mr. Buckley from the Environmental Health Department (attached) was received June 16, 2009 stating sewage disposal options are available to support a tentative map consisting of three parcels (instead of 4). A revised tentative map will be necessary to proceed with this project.

Pursuant to Section 15109 of the CEQA Guidelines (see attached) "an agency may disapprove a project application where there is unreasonable delay in meeting requests." Furthermore, pursuant to Section 65956(c) (see attached) of the California Government Code, failure on the part of the applicant to submit complete or adequate information may constitute grounds for denial of a development project. Therefore, due to the inactivity of this project, staff is recommending denial without prejudice.

- G. Planning Commission Action:** In the event the Commission does not deny this application, it would be necessary to prepare the appropriate environmental document before any further review of the project can take place. None is required for denial (see attached- Section 15270(a) of the CEQA Guidelines).

NOTE: If the Planning Commission denies the project, there is nothing that prohibits the applicant from applying for a similar or revised project at some point in the future.

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Item 3 – Public Hearing - Request to amend Use Permit no. UP-05;6-9 – which allows surface mining of previously mined aggregate for gold, quarrying of sand and gravel, and quarrying of meta-volcanic rock with crushing and screening through a portable plant – by modifying Condition of Approval No. 13 to allow for a maximum of 16 truck trips (8 in / 8 out) and 10 vehicle trips (5 in/5 out) per hour. (APN’s 001-110-005, -020, -021, & -023).

Applicant: High Country Partners LLC.

Supervisory District II

Location: South side of Highway 16 approximately 1.25 miles east of the Sacramento/Amador County Line.

- A. GENERAL PLAN DESIGNATION:** A-G; Agricultural-General.
- B. ZONING:** “R1A” – Single Family Residential and Agricultural.
- C. DESCRIPTION/BACKGROUND:** On December 11, 2007 the Amador County Planning Commission approved a Use Permit amendment request by High Country Partners/Crosspoint, LLC., to alleviate the applicant of requirements placed on the surface mining permit that were actually associated with the original proposal which included an equestrian facility and proposed residential development. This Surface Mining Use Permit amendment was approved with 35 Conditions of Approval, including COA No. 13 which currently limits the project trip generation as follows:

- 13. Development of the surface mining project will be limited to the following:*
 - a. Traffic from the surface mining operation shall be limited to 16 truck trips (8 in / 8 out) and ten vehicle trips daily;*
 - b. Cumulative daily traffic from the surface mining operation (as well as other approved uses utilizing the same access to Hwy. 16) shall be limited to 16 truck trips (8 in / 8 out) and 10 vehicle trips (26 trips total);*
 - c. Operation of a single crushing unit and/or sand processing plant – a total of 2400 tons of material a day.*

THE PUBLIC WORKS AGENCY SHALL MONITOR THIS CONDITION

During the December 11, 2007 public hearing staff indicated that the applicant was agreeable to limiting truck traffic to 16 trips per day. The Planning Commission then further limited trips for cumulative daily traffic to 16 truck trips (8 in / 8 out) and 10 passenger vehicle trips (5 in / 5 out) per day – there was never any dispute of this by the applicant, until now. The applicant is now requesting that Condition # 13 be modified to allow for a maximum of up to 16 truck trips/hour and 10 vehicle trips/hour (not to exceed twenty vehicle trips in any one day).

In 2007 a traffic study was prepared by Wood Rodgers to analyze the quarry impact at full operation. This study concluded that the quarry, at full production, will generate no more than 20 truck trips and up to 10 employee vehicle trips during peak-hour operations - see Wood Rodgers Technical Memorandum (attached).

D. STAFF REVIEW: This requested condition amendment went to Amador County staff and relevant local/state agencies (in this case Caltrans) for their review, none of which had any objection to the requested condition amendment – see comment letters attached.

E. PLANNING COMMISSION ACTION/FINDINGS: If the Planning Commission approves this Use Permit condition amendment, Staff recommends the Commission adopt the finding that the condition change is consistent with the previously adopted Mitigated Negative Declaration (State Clearinghouse # 2006032061) in that the proposed condition amendment does not affect any of the responses or mitigation included in the previously adopted environmental document.

F. AMENDED CONDITIONS OF APPROVAL: Should the Planning Commission approve the proposed condition amendment to condition No. 13, staff recommends the following language:

13. *Project traffic from the surface mining operation (as well as other approved uses utilizing the same access to Hwy. 16) shall be limited to:*
 - a) *16 truck trips (8 in / 8 out) per hour and 10 vehicle trips per hour (5 in / 5 out) – not to exceed 20 passenger vehicle trips in any one day.*
 - b) *Operation of a single crushing unit and/or sand processing plant – a total of 2,400 tons of material per day.*

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