

Jackson Planning Commission
Minutes
Regular Meeting of August 17, 2015

COMMISSION MEMBERS PRESENT:

Walt Hoeser, Chairman
Fred Hall
Paul Molinelli, Jr., Vice-Chairman
Bob Stimpson

CITY STAFF PRESENT:

Susan Peters, City Planner
Michael Daly, City Manager
Gisele Wurzburger, City Clerk

COMMISSION MEMBERS ABSENT:

George White

Note: The Staff Report Packet prepared for the Planning Commission is hereby incorporated into these minutes by reference as though set forth in full. Any Staff Report, recommended findings, mitigation measures, conditions, or recommendations which are referred to by Commissioners in their action motions on project decisions, which are contained in the Staff Reports, are part of these minutes. Any written materials, petitions, packets or comments received at the hearing also become part of these minutes. Actions minutes and audio recordings are retained for those desiring more detail on particular agenda item discussion. These audio recordings provide an accurate and comprehensive backup of Planning Commission deliberations and citizen discussion.

Chairman Hoeser called the meeting to order at 6:30 p.m.

1. Public Matters Not on the Agenda.

None.

2. Approval of Minutes.

- a. Minutes from the May 18, 2015 meeting.

**Moved by Vice-Chairman Molinelli, seconded by Commissioner Stimpson
and carried by a 4 to 0 vote (Commissioner White absent) to approve the
Planning Commission Minutes from May 18, 2015 as presented.**

Motion passed with the following vote:

AYES: Hoeser, Hall, Molinelli, Stimpson
NOES: None
ABSENT: White
ABSTAIN: None

3. Review the Annexation, Pre-Zone and General Plan Amendment, Jackson Rancheria Band of Miwuk Indians and the associated California Environmental Quality Act Negative Declaration, French Bar Road, APNs 044-180-034, 035, and 036

City Planner Peter reported on April 15, 2015 the Jackson Rancheria Band of Miwuk Indians submitted a letter requesting three parcels totaling approximately 367 acres along French Bar Road, APN 044-180-034, 035& 036 be annexed to the City of Jackson. The Rancheria recently acquired five parcels totaling approximately 516 acres previously known as the Jackson Hills Project. Two of these parcels are located in the City of Jackson; however the three listed above are in the City's Sphere of Influence but under County of Amador jurisdiction. Based on information submitted to the City by the project applicant, all parcels will be utilized for agricultural purposes. No development is proposed at this time.

The project site is located within the City's Sphere of Influence and is General Plan Designated Urban Reserve. The Environmental Impact Report prepared for the 2008 Land Use Element of the General Plan used the Residential Suburban designation with a Planned Development Overlay for the environmental analysis. Residential Suburban allows for one dwelling unit per acre. The Planned Development Overlay would not allow for development of the properties (other than one dwelling per property) without Planning Commission review and approval. Additionally, the Residential Suburban designation/zoning would allow for the continued use of the properties for grazing cattle.

An application referral package with the proposed project description and recommendation for a Negative Declaration was circulated to Responsible Agencies and potentially interested parties. No comments have been received prior to publishing this document. No improvements of these parcels are proposed at this time. Should the applicant wish to develop their properties, a project level environmental review with mitigation and conditions of approval specific to the development proposed would have to be prepared.

Staff noted for the record, she received comments from two individuals after preparation of the agenda packet. An email from Susan Grijalva, County Planner and a letter from Roseanne Chamberlain, LAFCO, Executive Officer. These documents were not submitted for the record.

Should the Planning Commission chose to recommend this annexation to the City Council, the following findings should be made:

1. The proposed amendment ensures and maintains internal consistency with all of the goals, policies, and actions of all elements of the General Plan and any applicable specific plan;
2. The proposed amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the City; and
3. There is adequate capacity available in the community sewer and water systems to serve the potential development allowed by the amendment, and the site is physically suitable for the requested zoning designation(s) and anticipated land use development(s). Factors considered to evaluate suitability shall include access, provision of utilities, compatibility with adjoining land uses, and absence of physical constraints.

The following conditions shall be met prior to or upon recordation of the proposed annexation:

1. General Plan Amendment from Urban Reserve to Residential Suburban with a Planned Development Overlay to be consistent with the surrounding properties and to allow for continued agricultural uses;
2. Prezone and Rezone to Residential Suburban with a Planned Development Overlay; and
3. Application to Amador County Local Agency Formation Commission (LAFCO) by resolution of the City requesting annexation of approximately 367 acres within the existing Sphere of influence to the City of Jackson and detachment from the Amador Fire Protection District.

The Planning Commission should take public testimony regarding the proposed project and make a recommendation to the City Council.

Larry White representing Jackson Rancheria was present to answer questions of the Planning Commission.

Chairman Hoeser opened public hearing. The following individuals spoke regarding Annexation, Pre-Zone and General Plan Amendment, Jackson Rancheria Band of Miwuk Indians: John Plasse and Thornton Consolo. Hearing no further discussion Chairman Hoeser closed the public hearing

Mr. Plasse brought to the Planning Commission attention that LAFCO law specifies numerous factors that must be considered in the analysis of an annexation proposal before it can be approved. The City needs to demonstrate how the proposed agricultural uses of these lands require governmental/city services.

After considerable discussion among the Planning Commission and staff the following motion was made:

Moved by Commissioner Hall, seconded by Vice-Chairman Molinelli and carried by a 4 to 0 vote (Commissioner White absent) to take public testimony regarding the proposed project and forward a recommendation to the City Council for consideration based on the Findings in this report with the following conditions:

- 1. General Plan Amendment from Urban Reserve to Residential Suburban with a Planned Development Overlay to be consistent with the surrounding properties and to allow for continued agricultural uses;**
- 2. Prezone and Rezone to Residential Suburban with a Planned Development Overlay; and**
- 3. Application to Amador County Local Agency Formation Commission (LAFCO) by resolution of the City requesting annexation of approximately 367 acres within the existing Sphere of influence to the City of Jackson and detachment from the Amador Fire Protection District.**

Motion passed with the following vote:

AYES: Hoeser, Molinelli, Stimpson, White
NOES: None
ABSENT: Hall
ABSTAIN: None

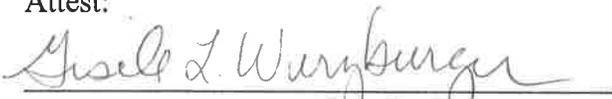
4. Administrative Reports.

City Planner Peters reported on the following:

1. A variance will be on the September 21, 2015 Planning Commission Agenda for review and consideration.

Adjourn 6:57 p.m.

Attest:


Gisele L. Wurzbarger, City Clerk

Date Approved: September 21, 2015