

ODD FELLOWS SIERRA RECREATION ASSOCIATION

DATE: March 21, 2012

SURFACE/MINERAL RIGHTS OWNERS: Odd Fellows Sierra Recreation Association

PROJECT PROponent: Robert S. Ozbirn

PROJECT AND LOCATION

PROJECT DESCRIPTION:

1. Resolution for General Plan Amendment GPA11-007 to amend the land use designation of a 21.8± acre parcel from Rural Residential (RR) to 2.0± acres of Estate Residential (ER) and 19.8± acres of Timber Production (TPZ).
2. Ordinance for Zone Change RZ11-014 to rezone a 16.6± acre portion of the 21.8± acre parcel from A-20 (General Agricultural, Twenty Acre Minimum) as follows:

Proposed Zoning Districts	Acreage
RE-2 (Residential Estate, Two Acre Minimum)	1.9± acres
TPZ (Timberland Production)	14.7 ± acres

A 5.2± acre portion of the site will remain zoned O (Open Space).

LOCATION: The project site is located at 24940 Jordan Way West adjacent to the Odd Fellows Sierra Camp subdivision. On the south side of the intersection of Jordan Way West and Long Barn-Sugar Pine Road in Sierra Village. Within a portion of the northwestern corner of Section 31, Township 3 North, Range 17 East, Mount Diablo Baseline and Meridian. Assessor's Parcel Number 31-010-19. Within Supervisorial District No. 3.

GENERAL PLAN: The project site currently has the Rural Residential (RR) land use designation. The proposed project would change the land use designation of the project site from RR to Estate Residential (ER) and Timber Production (TPZ). Figure 1.6 of the General Plan indicates that the proposed RE-2 zoning district may be found to be consistent with the ER land use designation and the proposed TPZ zoning district may be found to be consistent with the TPZ land use designation. The inclusion of this property in the TPZ land use designation will add an additional 19.8± acres to the 87,309 acres that are currently designated TPZ in the County.

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ENVIRONMENTAL EVALUATION

After reviewing the proposed project and its setting, the Environmental Coordinator for the County of Tuolumne has determined that the proposed General Plan Amendment and Zone Change are exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the *State CEQA Guidelines* because the 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. The permitted residential density of the parcel is presently two dwellings (one single-family dwelling per parcel, and one additional single-family dwelling when the parcel is twenty acres or larger) and the density following approval of the project would allow one single-family dwelling, with one attached single-family dwelling in the RE-2 zoned portion of the property and no additional dwelling units on the portion of the site proposed to be zoned TPZ. Therefore, it can be seen with certainty that the project has no potential to create a significant impact on the environment.

GENERAL INFORMATION

Site Description

1. The project site is located on the southern boundary of the Odd Fellows Sierra Camp community with elevations ranging from 4,480 to 4,600 feet above mean sea level with the lowest areas of the property along Sugarpine Creek, a perennial creek, running through the center of the site. The project site slopes up towards the western and eastern property lines. The site has been known as Camp Cedarbrook and has been used as a camp for both the Girl Scouts and Boy Scouts from 1948 until 2005. There are several structures on the property, including the bunkhouse/caretaker's lodge which will be retained, and a Quonset hut, latrine, Stephen Lodge/Mess Hall, David Kirkland Memorial Lodge, latrine/shower house, Girl Scouts shower house, warehouse/craft lodge/trading post, numerous tent platforms, and water tanks. There is also an in ground swimming pool, and two outdoor areas with amphitheater seating: the Hal Zecker Chapel and the Fred Bryant Circle.
2. The property is accessed by Jordan Way West from the north, which is a privately maintained paved road within the Odd Fellows Sierra Camp subdivision or by Long Barn-Sugar Pine Road on the south, a County-maintained dirt and gravel road. The project site utilizes private on-site sewage treatment and disposal systems and a private well.
3. In the Glossary of the Tuolumne County General Plan, "development" is defined as the approval of a discretionary permit or entitlement granted a developer by the County of Tuolumne, including but not limited to, a Variance, Conditional Use Permit, Site Development Permit, Site Review Permit, Development Agreement, Final Subdivision Map and Parcel Map. Approval of ministerial permits or entitlements, such as a Building Permit, Septic Permit, Well Permit, lot merger, lot line adjustment, or resubdivision resulting in four or fewer parcels, does not constitute development. Development does not include routine repair and maintenance activities.
4. There is no development proposed with the application for General Plan Amendment GPA11-007 and Zone Change RZ11-014 and neither a General Plan Amendment nor a Zone Change constitutes development.

Project Description

5. An application for General Plan Amendment GPA11-007 to change the land use designation of the 21.8± acre parcel from Rural Residential (RR) to 2.0± acres of Estate Residential (ER)

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and 19.8± acres of Timber Production (TPZ), and Zone Change RZ11-014 to rezone approximately 1.5± acres of the project site to RE-2 (Residential Estate, Two Acre Minimum) and 14.8± acres to TPZ (Timberland Production) under Title 17 of the Tuolumne County Ordinance Code was received November 2, 2011. A 5.5± acre portion of the site will remain zoned O (Open Space).

6. The goal of the project is to facilitate a resubdivision. Tentative Parcel Map T11-032 was submitted on November 2, 2011 to adjust 19.8± acres of the 21.8± acre parcel to Assessor's Parcel Number 31-010-22 that is one of the adjacent parcels owned by Odd Fellows Sierra Recreation Association and is zoned TPZ, resulting in a 2.0± acre parcel zoned RE-2 and O.
7. The proposed General Plan Amendment would change the existing Rural Residential (RR) land use designation of the 21.8± acre parcel to 2.0± acres of Estate Residential (ER) and 19.8± acres of Timber Production (TPZ).
8. The 19.8± acre portion of the project site proposed to be zoned TPZ and be changed to the TPZ land use designation is planned to be amended into the Odd Fellows Sierra Recreation Association's existing Non-Industrial Timber Management Plan. The current plan includes several parcels totaling 475± acres, including three neighboring parcels zoned TPZ, Assessor's Parcel Numbers 27-010-35, 31-010-20, and 31-010-22.
9. The surrounding properties consist of three TPZ zoned properties, a 53.2± acre parcel to the northwest that is part of the resubdivision, a 199.6± acre parcel to the southwest, and a 101.8± parcel to the east. The parcels to the north of the project site consist of several parcels each 0.2± acre in size and zoned R-1:MX (Single-Family Residential:Mobilehome Exclusion Combining). A large meadow is located to the northeast of the site.

General Plan

10. Amending the General Plan land use designation of the project site would facilitate the proposed use of the project site.

The Tuolumne County General Plan defines the Estate Residential land use designation as providing for country-estate type living conditions while maintaining limited areas of open space dedicated to agricultural pursuits, grazing and left undisturbed. This designation serves as a buffer between urban and urbanizing areas and areas where public services are limited.

The Timber Production designation provides for the growing and harvesting of timber and other forest products in concert with limited, low-intensity public and private commercial recreational uses. This designation is found primarily in the eastern part of the County at elevations above 3,000' and is interspersed with federally owned land within the Stanislaus National Forest and Yosemite National Park.

Zoning Ordinance

11. Pursuant to Section 17.26.010 of the Tuolumne County Ordinance Code (TCOC), the purpose of the RE-2 (Residential Estate, Two Acre Minimum) district is to provide areas where persons may enjoy rural residential living while engaging in limited agricultural pursuits or maintaining livestock. The RE-2 district is intended to occur where fewer municipal services are available. Development in the RE-2 district must comply with Title 15 of the TCOC relative to fire safety standards.

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12. Pursuant to Section 17.42.010 of the TCOC, the purpose of the TPZ (Timberland Production) district is for the protection of timberland and in order to prevent encroachment upon it by incompatible uses of land, and for the general welfare of the county as a whole. This zone is intended to qualify land pursuant to the Z'berg-Warren-Keene-Collier Forest Taxation Forest Act of 1976 or such other legislative statutes or constitutional authorization as may be developed for defining a timberland preserve. Development in this zone must comply with Title 15 of the TCOC relative to fire safety standards.
13. The application to zone to TPZ will restrict land use to growing and harvesting timber, and compatible uses as described in Section 17.42.020 of the TCOC.
14. Section 17.42.040 of the TCOC states that land may be rezoned as a TPZ district upon a finding that the criteria of Government Code Section 51113(c) have been met. The criteria for Section 51113(c) include;
 - 1) A map shall be prepared showing the legal description or the assessor's parcel number of the property desired to be zoned.
 - 2) A plan for forest management shall be prepared or approved as to content, for the property by a registered professional forester. The plan shall provide for the eventual harvest of timber within a reasonable period of time, as determined by the preparer of the plan.
 - 3) (A) The parcel shall currently meet the timber stocking standards as set forth in Section 4561 of the Public Resources Code and the forest practice rules adopted by the State Board of Forestry and Fire Protection for the district in which the parcel is located, or the owner shall sign an agreement with the board to meet those stocking standards and forest practice rules by the fifth anniversary of the signing of the agreement. If the parcel is subsequently zoned as timberland production under subdivision (1), failure to meet the stocking standards and forest practice rules within this time period provides the board with a ground for rezoning of the parcel pursuant to Section 51121 of the Government Code.
(B) Upon the fifth anniversary of the signing of an agreement, the board shall determine whether the parcel meets the timber stocking standards in effect on the date that the agreement was signed. Notwithstanding the provision of Article 4 (commencing with Section 51130 of the Government Code), if the parcel fails to meet the timber stocking standards, the board shall immediately rezone the parcel and specify a new zone for the parcel, which is in conformance with the county general plan and whose primary use is other than timberland.
 - 4) The parcel shall be timberland, as defined in subdivision (f) of Section 51104 of the Government Code.
 - 5) The parcel shall be in compliance with the compatible use ordinance adopted by the board pursuant to Section 51111 of the Government Code.

The project applicant has submitted *Forest Land Management Plan Odd Fellows Property* prepared by Will Dorrell, Registered Professional Forester #2311. Mr. Dorrell has certified that the subject property meets the Government Code requirements pertaining to Timberland Production zoning, specifically Government Code Sections 51104, 51113(c), and 51114.

15. Section 17.42.050 of the TCOC states that the term of the TPZ district shall be as set forth in Government Code Section 51114. Government Section 5114 states that parcels zoned as timberland production shall be zoned as such for an initial term of 10 years. On the first and each subsequent anniversary date of the initial zoning, a year shall be added to the initial term of 10 years, unless a notice of rezoning is given as provided in Government Code Section 51120. Section 51120 describes the process to remove a property from TPZ and

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states that a new zoning designation would only become effective 10 years from the date of approval.

16. Section 17.42.060 of the TCOC states that additional lands may be zoned TPZ and added to an existing timberland preserve pursuant to Government Code Section 51113.5. Section 51113.5 describes the process and criteria for a property owner to add additional properties to an existing timberland production zone. This involves the property meeting the definition of "timberland" and "timberland production zone." According to Section 51104 (f) of the Government Code, "timberland" means privately owned land, or land acquired for state forest purposes, which is devoted to and used for growing and harvesting timber, or for growing and harvesting timber and compatible uses, and which is capable of growing an average annual volume of wood fiber of at least 15 cubic feet per acre. Section 51104(g) defines "timberland production zone" or "TPZ" as an area which has been zoned pursuant to Section 51112 or 51113 and is devoted to and used for growing and harvesting timber, or for growing and harvesting timber and compatible uses. The project meets these criteria according to *Forest Land Management Plan Odd Fellows Property* prepared by Will Dorrell, Registered Professional Forester #2311
17. Section 17.42.090 of the TCOC states that property of less than one hundred and sixty acres shall not be zoned TPZ unless the property adjoins either lands within an existing TPZ district or the Stanislaus National Forest. The project site borders properties already zoned TPZ.
18. Goal 4.A of the Tuolumne County General Plan directs the County to encourage the conservation and management of timberlands through incentive programs while conforming with California forest practice law. This project is consistent with Goal 4.A because it will add lands to the managed timberlands within the County and conforms to California forest practice law.
19. Policy 4.A.1 of the General Plan encourages retention of existing and management of new timberlands by continuing to provide tax incentives to timberland owners, such as Timberland Production (TPZ). This General Plan Amendment and Zone Change will provide tax incentives for management of the timber on the project site.

Timber Management Plan

20. The project applicant has submitted *Forest Land Management Plan Odd Fellows Property* prepared by Will Dorrell. The property will be amended into the Non-Industrial Timber Management Plan approved on the Odd Fellows Sierra Recreation Association's other timberland property consisting of three parcels zoned TPZ, Assessor's Parcel Numbers 27-010-35, 31-010-20, and 31-010-22, and several other parcels totaling 475± acres. The existing plan allows for selection, group selection and sanitation-salvage harvesting.

The property is a well stocked mixed conifer forest. Currently merchantable trees range in size from 12" to 58" in diameter. Average basal area for conifers is 170 square feet per acre with an average volume of 25,050 board feet per acre. Natural conifer regeneration less than 12" diameter was found across the property. Using the California Conifer Timber Output Simulator (CACTOS) model program, the long term projected growth for this project site is 810 board feet per acre per year (bf/ac/yr) which is roughly 67.5 cubic feet per acre per year.

The Forest Land Management Plan indicates that long term management of the property will be on an unevenaged basis. A mix of single tree selection, group selection, commercial thinning and sanitation-salvage will be utilized depending on stand and market conditions.

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The first major commercial entry will be in the next 5 years with entries every 10 to 15 years beyond that. The exact timing and choice of any silvicultural system must be made prior to each commercial entry. These decisions must be based on landowner's desires and expectations, market conditions, timber stand vigor and growth, and factors existing at the time of harvest.

The property currently provides a diversity of wildlife habitats. Black oak is an important resource for wildlife, especially deer. Oaks over 20" in diameter will be maintained so that the basal area will be at or near 10 square feet per acre. The Odd Fellows Sierra Recreation Association property is also intermediate and winter range for the Tuolumne deer herd. Management activities to clear brush and provide suitable browse and mast production will provide for increased deer usage of the property. Tree canopy cover will be maintained throughout the property as the currently established stand is harvested and regenerated. Live culls and those suitable for nesting by raptors and other birds will be saved during management activities.

According to the land management plans, all projects conducted on the area should insure that erosion control structures are in place and functional prior to October 15th of the year of operations or at the end of the work day if operations occur after October 15th. Annual maintenance should include a check of erosion control structures prior to the winter season.

The plan concludes with the following management recommendations:

- 1) Sanitation-Salvage. This should be accomplished within the next year in order to remove broken topped and insect infested trees.
- 2) Treat understory vegetation through thinning, pruning and mastication to provide fire safe conditions.
- 3) Install a security gate at the southern end of the Odd Fellows property to limit unauthorized access.

There is an existing gate restricting access from the County-maintained portion of Long Barn-Sugar Pine Road through the project site at the northern property boundary of the project site. A security gate cannot be installed at the southern end of the Odd Fellows property without having the County-maintained portion of the road north of that location abandoned by the County. To do so would be in violation of Section 17.56.110 of the TCOC.

21. The California Department of Forestry and Fire Protection (Cal Fire) expressed no concerns or comments regarding the proposed project, but has expressed a general interest in having as much land designated as TPZ as possible within Tuolumne County.

Adjoining Property Owners

22. Owners of property within 1,000 feet of the site were notified of the proposed project by mail. Project notices were sent on November 28, 2011 to 239 adjoining property owners. Nineteen responses were received, ten in favor, eight in opposition and one with no opinion. The issues of concern are as follows:

- Please clarify the intent of the proposed project.

The intention of the project is to facilitate a resubdivision through Tentative Parcel Map T11-032, to adjust 19.8± acres of the 21.8± acre parcel to an adjoining 53.2± acre parcel to the northwest of the project site, Assessor's Parcel Number 31-010-22, that is owned by Odd Fellows Sierra Recreation Association and is zoned TPZ. The resulting parcel will be 2.0± acres zoned RE-2 and O.

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- The Odd Fellows Sierra Recreation Association board is using the “Odd Fellows” name without the approval of the national “Odd Fellows” organization.

This is a civil matter and must be resolved between the interested parties.

- The Odd Fellows Sierra Recreation Association board has placed stumps into Long Barn Creek to try to reclaim part of the meadow area which was washed out in 1997 without California Department of Fish and Game approval.

Assuming that the comment is referring to Sugarpine Creek, the central drainage of the Odd Fellows Sierra Camp subdivision, Sugarpine Creek is a perennial stream and under jurisdiction of the California Department of Fish and Game (CDFG). This issue is outside the scope of the proposed project and should be referred to the Department of Fish and Game by the concerned party.

- A prehistoric grinding rock was moved from an area designated O (Open Space) on one parcel to another private property without review and approval of the proper authorities.

This comment references an issue that is off of the project site and is out of the scope of the current project.

- Will proceeds from the sale of the property go to homeowners within the Odd Fellows subdivision?

This is a civil matter and should be resolved between the interested parties.

- The parcel exceeds cul-de-sac length limits.

The project will facilitate a resubdivision of existing parcels. Section 16.11.012(B) of the Tuolumne County Ordinance Code limits the County’s review of a resubdivision to determining whether existing structure(s) will meet building setbacks; if the proposed lots or parcels comply with the minimum lot or parcel size requirements; if the number of primary zoning districts on a lot or parcel is not increased after resubdivision; verification that existing wells, septic tanks, and leach fields comply with setbacks; if the required minimum expansion area for repair of a sewage disposal system will exist on each applicable lot or parcel after the resubdivision; and whether existing utilities, infrastructure, and easements will need to be relocated. The issue of parcel access and cul-de-sac length limits would only apply if parcels or lots were being created through the Tentative Parcel Map or Subdivision Map process. No new parcels are being created through the proposed resubdivision; therefore, the cul-de-sac limits do not apply to this project.

- How will water be provided to the two acre parcel?

The existing residence on this portion of the site receives domestic water from a well.

- The lot is not part of the original subdivision. The parcel should be annexed into the subdivision. New owners will have access to Odd Fellows amenities, lake, playground and garbage.

There is no requirement to annex the parcel into the subdivision.

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- The two-acre parcel will create wear and tear of the maintained road network.
The single-family dwelling on the parcel would be expected to generate approximately ten vehicles trips per day. The two-acre parcel's access will be through the Odd Fellows subdivision via Jordan Way West or Jericho. There is no requirement to annex the parcel into the subdivision, but it could be added to the road maintenance entity if agreed to by all parties involved.
- The access road to the two-acre parcel should be plowed.
Snow plowing of Long Barn-Sugar Pine Road in the vicinity of the project site would be given low priority by the County due to its being a dirt and gravel roadbed, its location and the low number of residences served. Snow plowing of the Odd Fellows subdivision road system would be the responsibility of the private organization established for road maintenance and snow removal.
- Heavy equipment and logging equipment should not be allowed on the parcel.
Timber harvests would require the use of logging equipment.
- The access to the two-acre parcel should be required to bridge the creek.
There is no requirement that the current creek ford be changed to a bridge crossing. If the current or future property owners wish to bridge the crossing, then permits will be required from agencies with jurisdiction over the creek (California Department of Fish and Game, United States Army Corps of Engineers, United States Fish and Wildlife Service, California Water Quality Control Board, and the County of Tuolumne).
- The Odd Fellows Recreation Association will try to develop the surrounding parcels.
The creation of new lots or parcels would involve the submittal of a tentative map to the Community Resources Agency. The processing of the tentative map would involve environmental review in compliance with the California Environmental Quality Act (CEQA), consistency with the Tuolumne County General Plan and Ordinance Code, and notification of advisory agencies and adjoining property owners.
- There was not a legal vote authorizing the Odd Fellows Sierra Recreation Association to purchase the property.
This is a civil matter and must be resolved between the interested parties.

Biological Resources

23. The California Department of Fish and Game Natural Diversity Data Base (NDDDB) maps, and the Tuolumne County Wildlife Habitat Maps were consulted for known locations of special status plants or animal species. Three species were identified within a one mile radius of the project site: *Gulo gulo* (California Wolverine), *Strix occidentalis occidentalis* (California spotted owl), and *Antrozous pallidus* (Pallid Bat). The project does not involve any change in use or development; therefore, no impact to these species would result from this project. No special status plants were identified. The existing structures may provide roosting habitat for bats. Any future demolition permit on the project site may be conditioned to

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prohibit the demolition of structures during the bat roosting season (between May 1st and August 31st).

24. The Tuolumne County Wildlife Map indicates that the wildlife habitat on the project site is approximately 0.1% wet meadow (WTM), 5.8% montane riparian woodland (MRI), 5.4% Ponderosa pine (ppn), 19.0% Sierra mixed conifer (smi), and 69.7% residential park (rsp).

A site inspection revealed that since the closure of the camp in 2005 nature has reclaimed the majority of the site. Structures are hard to discern through the tree canopy cover on available aerial photographs. The project site was reclassified as 8% MRI, 38% smc, and 54% ppn. MRI is identified as a target habitat and rsp as a fourth priority habitat in the Tuolumne County Wildlife Handbook (TCWH). Appendix B(2d) of the TCWH identifies wet meadows as a second priority target habitat essential for maintaining diverse and abundant wildlife.

An Initial Study was prepared for a previous Conditional Use Permit on the project site to allow construction of a 2,400 square foot combination health lodge/bunk house/caretaker residence on the project site on August 8, 1988. At that time, the project proponent rezoned 5.2± acres (26% of the site) of the project site to O (Open Space) to mitigate impacts to vegetation and wildlife resulting from development of the site. This O zoning encompasses all of the area within 100 feet of either side of the centerline of Sugar Pine Creek as it crosses the parcel. The O zoning is proposed to be retained as part of their rezoning project.

25. Public Resources Code Section 21083.4 requires oak woodland mitigation for any project where the conversion of oak woodlands results in a significant impact to the environment. The County of Tuolumne in consultation with the California Department of Fish and Game defines "oak woodland as an area with 10 percent oak canopy cover." The subject property has an oak canopy, not including California black oaks, of less than 10%. California black oaks determined by the California Department of Forestry and Fire Protection to be growing on timberland are excluded from Section 21083.4 of the Public Resources Code, therefore, oak woodland mitigation is not required for this project.

Cultural Resources

26. A cultural resource study, entitled *Cultural Resource Survey Camp Cedarbrook, Near Long Barn, Tuolumne County, California* was completed in February 2012 by Foothill Resources, Ltd. Three cultural resources were identified on the project site: Camp Cedarbrook, Long Barn-Sugar Pine Road, and a ditch.

- Camp Cedarbrook is a multiple-resource recreation camp containing buildings, structures, sheds, support facilities, an outdoor chapel, an amphitheater, and miscellaneous features occupying the entire project site.
- A portion of the Long Barn – Sugar Pine Road enters the property near its southwestern corner and intersects the center of the northern property line. The location of the Long Barn – Sugar Pine Road was changed in the 1970s. It no longer retains integrity of location and workmanship, and does not retain sufficient integrity.
- A segment of a ditch crosses the northwestern corner of the project site. The ditch was part of an earthen berm water conveyance system that conveyed water from Sugarpine Creek to several mining claims. Approximately half of the segment was obliterated when the area was leveled to accommodate the Camp's water tank.

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DPR 523 forms have been completed for each of the resources, but all of the identified resources were determined to be non-eligible for the National Register of Historic Places and the California Register of Historic Places and not to be historical resources for the purposes of the California Environmental Quality Act (CEQA).

Pursuant to Section 14.10.150 of the TCOC, a condition will be attached to permits issued by the County on the project site to require that if, during the excavation or construction process, subsurface cultural resources are discovered on the project site, all work shall stop immediately until a qualified archaeologist, approved by the Community Resources Agency, evaluates said resources and establishes boundaries around archaeologically or historically sensitive areas. If the site is determined to be significant, appropriate mitigation measures shall be formulated and implemented in accordance with Section 15064.5 of the *State CEQA Guidelines*.

27. The property owner plans to demolish the structures on the 19.8± acre portion of the project site that is proposed to be under the timber management plan. The demolition of the structures will require a Demolition Permit from the Building and Safety Division of the Community Resources Agency. The abandonment of a septic tank will require a permit from the Environmental Health Division. Structures over 50 years in age would also require a Demolition Review pursuant to Chapter 14.08 of the Tuolumne County Ordinance Code. Due to concerns regarding demolition impacts on roosting bats, the demolition permit may be conditioned to prohibit the demolition of structures during the bat roosting season (between May 1st and August 31st).
28. Government Code Section 65352.3 requires city and county governments to consult with California Native American tribes to aid in the protection of traditional tribal cultural places during the processing of a General Plan Update, General Plan Amendment or Specific Plan. The intent of this law is to provide local tribes with an opportunity to participate in local land use decisions at an early planning stage in order to protect, or mitigate impacts to, cultural places. The Buena Vista Rancheria, Chicken Ranch Rancheria of Me-Wuk, and the Tuolumne Band of Me-Wuk were sent notices via certified mail on January 17, 2012. Pursuant to Section 65352.3(a)(2) of the Government Code, the notified California Native American tribes have 90 days from the receipt of this notice to request consultation. The tribes have until April 17, 2012 to express any concerns or to request consultation on the project. Pursuant to the Tribal Consultation Guidelines, all three tribes shall also receive notification of the proposed action for this project at least 45 days prior to the action, and a second notification at least ten days before any public hearing for this project.

Environmental Health Concerns

29. The Environmental Health Division of the Community Resources Agency commented that prior to recordation of the parcel map the following items should be addressed:
 - Pursuant to Section 13.04.030 of the Tuolumne County Ordinance Code, a consultant or Environmental Health verification is required to confirm that all sanitary setbacks will be maintained for the on-site sewage treatment and disposal system and the required expansion area for repair of a sewage disposal system will exist on each parcel.
 - Any use of off-site wells shall be compliant with Section 13.16.126 of the TCOC.

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30. The Fire Prevention Division of the Tuolumne County Fire Department, Engineering Division of the Community Resources Agency and the California Department of Transportation (Caltrans) responded with no comment on the proposed project.

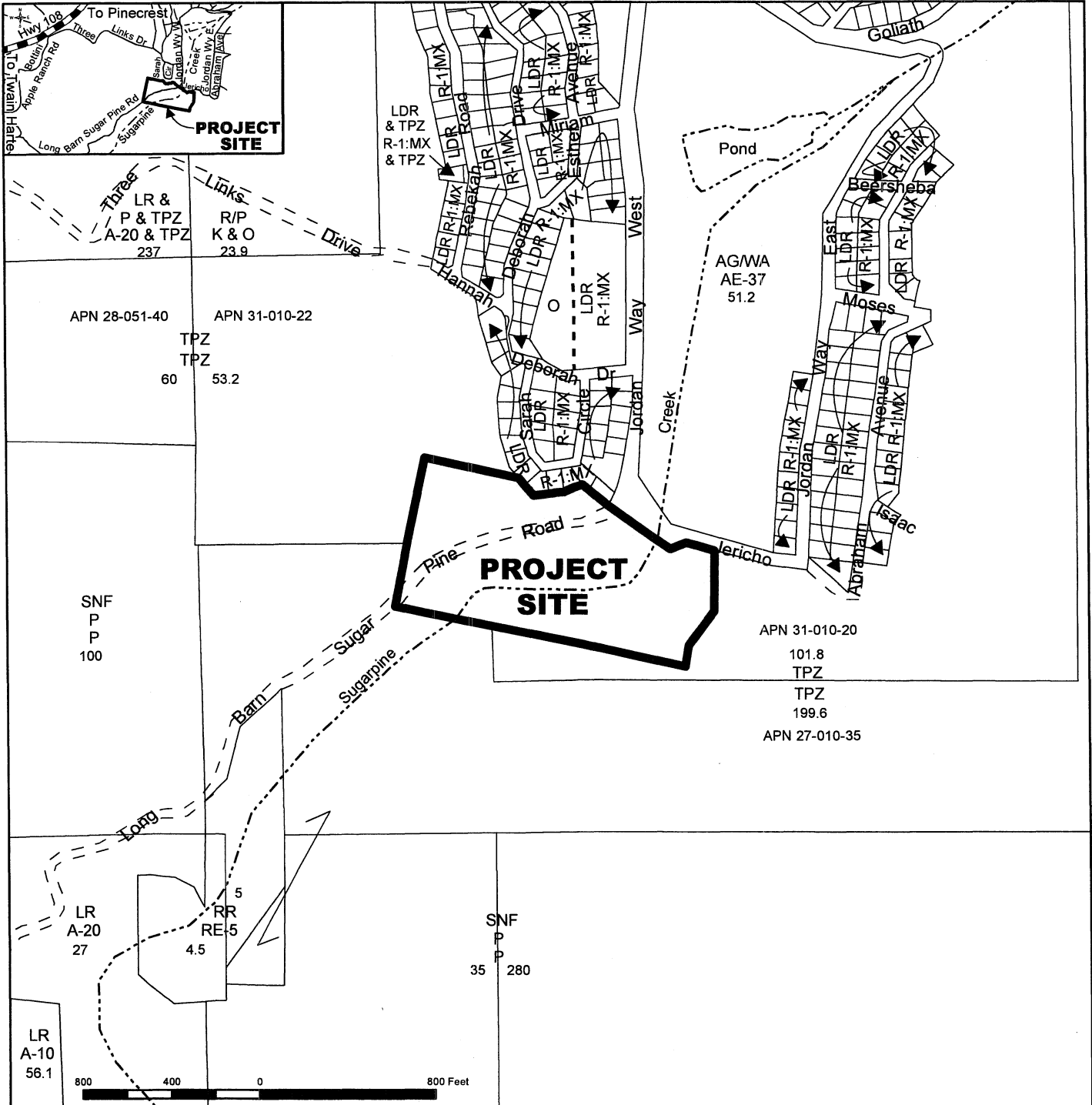
RECOMMENDATION

1. Community Resources Agency Staff recommends approval of General Plan Amendment GPA11-007 based upon the following findings and contingent upon adoption of the master resolution amending the General Plan:
 - A. The proposed General Plan Amendment is consistent with the Tuolumne County General Plan.
 - B. The project site is suited to the uses permitted under the proposed land use designation.
 - C. It is in the public interest to amend the Tuolumne County General Plan to allow future use of the project site which is consistent with the policies and programs of the General Plan and the land use patterns of the area surrounding the project site.
 - D. The project site meets the criteria in Sections 51113, 5113.5 and 51114 of the Public Resources Code for qualifying for TPZ zoning and its corresponding TPZ General Plan land use designation.
 - E. Amending the land use designation of the project site is exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the *State CEQA Guidelines*.
2. Community Resources Agency Staff recommends approval of Zone Change RZ11-014 based upon the following findings and contingent upon adoption of the master resolution amending the General Plan:
 - A. The proposed Zone Change is consistent with the Tuolumne County General Plan.
 - B. The proposed Zone Change is in accordance with the Tuolumne County Ordinance Code.
 - C. The project site is suited to the uses permitted under the proposed zoning districts.
 - D. The project site meets the criteria in Sections 51113, 5113.5 and 51114 of the Public Resources Code for qualifying for TPZ zoning.
 - E. The proposed project is exempt from environmental review under the California Quality Environmental Act (CEQA) pursuant to Section 15061(b)(3) of the *State CEQA Guidelines*.

Prepared by Alex Guilbert, Planner

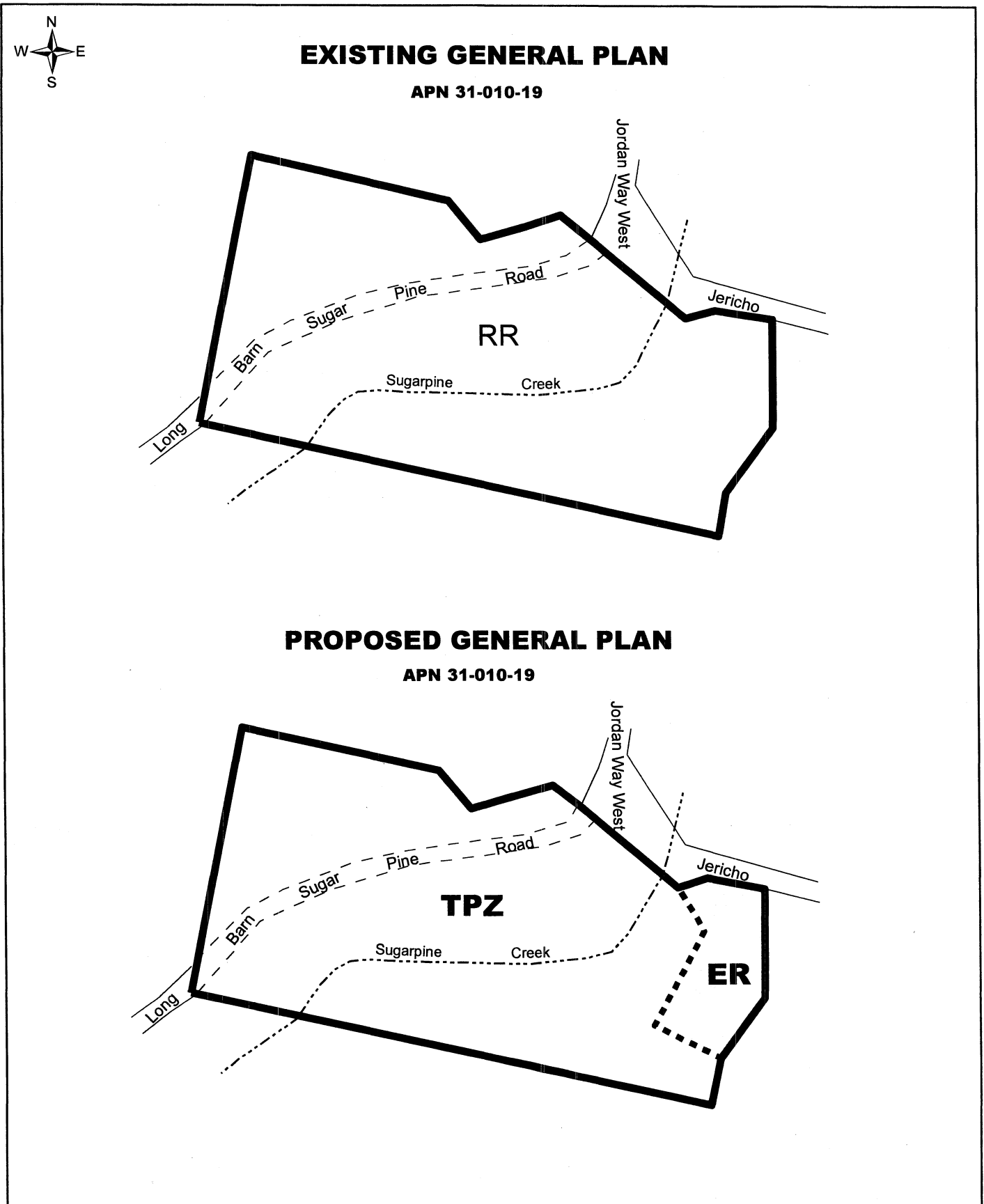
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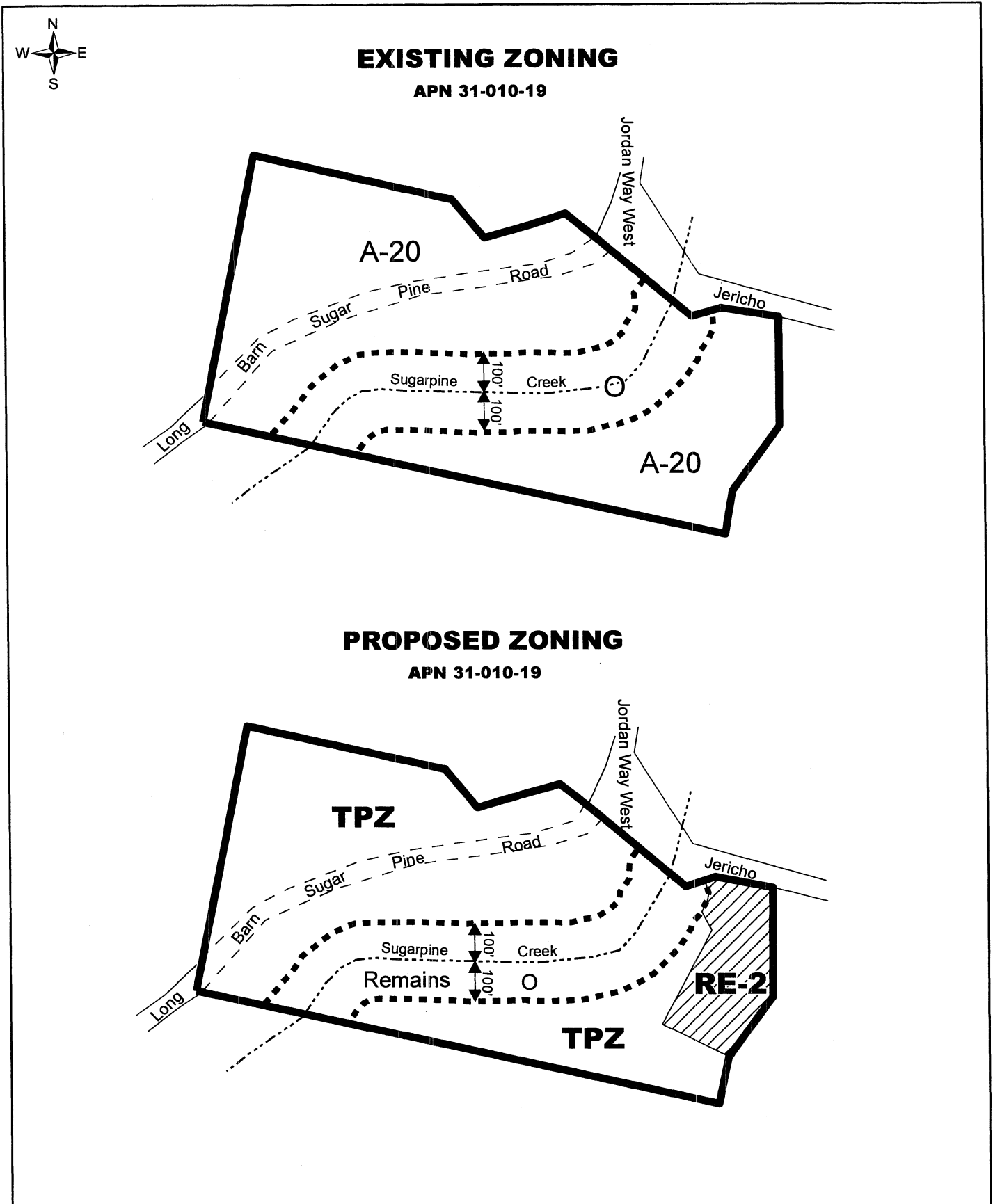


Owner: Odd Fellows Sierra Recreation Association Applicant: Robert S. Ozbirn A.P. No.: 31-010-19		21.8± Ac.
Existing: RR; A-20 (16.6± Ac.) & O (5.2± Ac.) Proposed: 2.0± Ac. to ER & 19.8± Ac. to TPZ; 1.9± Ac. to RE-2, 14.7± Ac. to TPZ & 5.2± Ac. Remains O		
Project: GPA11-007 & RZ11-014 Supervisorial District No.3		TCPC

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