

Foresthill Residents for respOnsible Growth, Inc.

P. O. Box 568, Foresthill, CA 95631
(530) 367-4803

RECEIVED
AUG 27 2008
CDRA

August 25, 2008

Anthony J. LaBouff, County Counsel
Placer County Counsel
175 Fulweiler Ave.
Auburn, CA 95603

Re Possible Brown Act Violation – Foresthill Forum (MAC) Meeting on 8/18/08

Dear Mr. LaBouff,

We are extremely concerned that the Planning Department and the County Executive's Office have mishandled the processing of the Revised Foresthill Divide Community Plan. Our previous letter to you discussed the possible violation of the Placer County Zoning Ordinance and whether or not our local MAC (the Foresthill Forum) received adequate notification, and the appropriate documents, for their recommendation to the Planning Commission on the Community Plan policy document.

Again we find another possible violation on the part of our Foresthill Forum...albeit inadvertently, as our Community Plan moves through the system.

On August 4, 2008, the Foresthill Forum (a Municipal Advisory Council) met for its regular monthly meeting. The agenda called for an Action Item to hear public comments, have discussion and then consider making a recommendation to the Planning Commission on the "Draft Community Plan (i.e. policy document), Land Use Diagram and Precise Zoning"...not the Final Environmental Impact Report (FEIR). After some discussion the Forum decided that they were not prepared to make a recommendation so another meeting date was set on August 18, 2008, for further discussion of the Community Plan policy document.

At the August 18, 2008, Special Meeting of the Foresthill Forum, the Chairman, Larry Jordon, indicated that "the purpose of this meeting is so that the board members can primarily talk among themselves (and) get some things done. We do appreciate people in the audience cause there's going to be a lot of questions that we may or may not have and so we are going to ask questions if we get to that point". Although not intending to say so, the assumption in the audience was that the Forum did not want questions asked or comments made unless requested by the Forum. During the first three hours there was only one person who addressed the MAC and that was only because that person arrived late and did not hear the instructions at the beginning of the meeting.

At the lunch break it was brought to the attention of Lisa Bueschler by two individuals in attendance that there was a possible Brown Act violation. She explained that she had tried to reach County Counsel's office and the County Executive's office to get clarification. She then said that she was not going to stop the process. Both Chairman Jordan and maybe Loren Clark, a Placer County Senior Planner, were told of the possible violation but they decided to continue moving forward. Chairman Jordan did give a brief explanation after the lunch break that he has never discouraged new and pertinent information...but did not want to rehash old information.

The Municipal Advisory Council Handbook states that MACs "provide recommendations on a variety of topics. They are tasked with gathering input, making recommendations based on that information and relaying it to the appropriate DECISION-MAKING BODY". The County Executive's Office, through the Administrative Aides, is charged with the responsibility of assisting and supporting all MACs in fulfilling their responsibilities. Because the MACs are a legislative body they are required to follow the Brown Act Requirements. The following are excerpts from the MAC handbook:

"All boards, councils, commissions, committees, created by charter, resolution or formal action of a legislative body *is a legislative body* itself covered by the requirements of the Brown Act. Even though a MAC is advisory only and its members are unpaid, because the Board of Supervisors created each MAC by passing a resolution, the MAC and MAC members, must abide by the Brown Act requirements."

"Basic compliance with the Brown Act requires:"

"3. Public input on any subject on the agenda."

"4. Each agenda item must be sufficiently descriptive to inform the public as to the nature of the subject matter."

"There are very limited provisions for closed sessions under the Brown Act. They are primarily related to personnel, labor relations, litigation, and real estate negotiations. Municipal Advisory Councils in Placer County do not have closed session."

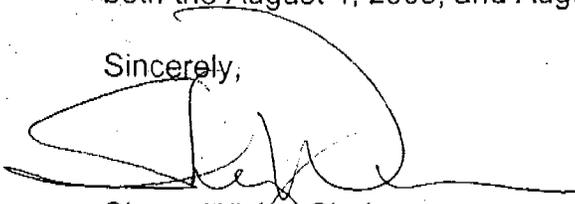
Additionally, CA Government Code Section 54954.3(a) clearly states that "every notice for a special meeting shall provide an opportunity for members of the public to directly address the legislative body concerning any item that has been described in the notice for the meeting before or during consideration of that item."

An amendment of a community plan requires public participation at all levels of government and our MAC is suppose to be a "consistent and inviting...forum for...public comments". Our MAC's input is suppose to be "a valuable component of information the Board (of Supervisors) and decision-making bodies consider in their deliberative process". We feel that not only has our MAC lacked the appropriate direction from the County in making its recommendation but the County has also misguided and misinformed our MAC as to the true character of the Community Plan policy document presented for their consideration. The policy document presented to the Forum members was not the Foresthill Forum Petition plan that many residents expected...but instead a significantly higher density plan. Two of the Forum members did not realize that their vote was approving a significantly higher density plan. They thought some where, some how the community was going to get the Foresthill Forum Petition plan.

A community plan amendment is a very cumbersome and complicated project, especially when the land mass doubles and a higher density plan replaces an existing one with substantially less density. The project's issues are further compounded by County officials who want a "rush to judgment" decision to get it finished and off the books.

We want due process and justice if our quality of life is about to change. We have been continually amazed at the County's numerous errors and omissions in processing this plan amendment. For your review we are attaching DVDs for both the August 4, 2008, and August 18, 2008, Foresthill Forum meetings.

Sincerely,



Sherry Wicks, Chair
29 Year Foresthill Resident

cc Placer County Planning Department
Foresthill Public Utility District
Foresthill Forum
Placer County Board of Supervisors
Placer County Planning Commission
Placer Group Sierra Club
State of California Attorney General
Placer County Grand Jury

August 19, 2008

RECEIVED
AUG 20 2008

PLANNING DEPT.

Loren Clark,
Asst Director Natural Resources and Special Projects
3091 County Center Dr
Auburn, Ca 95603

Subject: Public Comment

On August 18, 2008, I attended the Foresthill Forum Special Meeting on the Foresthill Divide Community Plan. This was a continuation of their August 4, 2008, meeting. The Special Meeting Agenda limited public comment to any matter NOT listed on the agenda. The Forum made no additions, deletions, or revisions to the Agenda. The action item was limited to the Foresthill Divide Community Plan and implementation of Precise Zoning. Also to be considered was the Draft Community Plan, Land Use Diagram, and Precise Zoning.

Once the meeting began the chair made it clear there would not be any public comment during the proceedings. The only comment allowed would be to answer a Forum member's questions. The Forum proceeded on a page by page "workshop style" format without public comment.

When Lisa Buescher, Supervisor Kranz's Field Assistant, arrived and became aware of the Forum's public comment stance, she offered to get County Counsel's opinion.

My concerns are: How do I get my intended comments to the Forum to be a part of the public record now that the Forum session is closed? May I send my written comments to you for inclusion in the public record? And, did the Forum act in violation of the Brown Act? If they did, this could jeopardize any decisions made.

Sincerely,



Duane Frink
PO Box 830
Foresthill, Ca 95631

Cc: Supervisor Kranz
Foresthill Forum
County Counsel

AUG 27 2008

PLANNING
COMMISSION

August 26, 2008

Placer County Planning Commission
3091 County Center Dr, Suite 140
Auburn, CA 95603

Chairman Sevison and Commissioners

My name is Duane Frink. My residence is located on Granite Chief Place, Foresthill. My mailing address is PO Box 830, Foresthill, 95631.

My wife and I selected the Foresthill Community as a place to build our home and as a wonderful place to live and spend our elder years. We moved from rural Auburn and have watched with great interest the saga of the Foresthill Divide Community Plan (FDCP).

It is time to close this convoluted process after a decade plus of twists and turns and give Foresthill residents a Community Plan that will provide a guide for the next planning period.

You as a Commission have an opportunity to direct the Planning Staff to adjust this FDCP as you forge your recommendations for the Board of Supervisor's action.

My areas of concern include population, transportation, fire, sewer, water, forest and Appendix E.

POPULATION

In general no matter how one views the issue, the larger the population, the greater the problems. The trend in this "planning" effort is to set a larger and larger population target. Please direct staff to use the 1981 Plan population build-out target. There have been no substantive changes since that time that warrant a larger population. The economy has declined, jobs have declined. The area has emerged as a "bedroom community". Infrastructure forecasts strongly suggest a larger population will seriously stress or exceed the infrastructure capacities.

TRANSPORTATION

The only quality road in and out the Foresthill Divide area is Foresthill Road. The transportation policy discussion indicates with a population of 12,000, a reasonable level of service could be maintained. Over that number of 12,000 the level of road service deteriorates. The FDCP policy sets the Level of Service at D. A lot of time and money have been spent to achieve a good quality road. To aim for a future lower level of service is unacceptable.

Please direct staff to set Level C as a policy target for the Foresthill Road and to:

- Include a direction to establish a "commuter service" (vans or bus) at areas of commuter congestion to improve level of service, reduce emissions, and conserve energy.
- Direct staff to show how "the pedestrian friendly" downtown could be achieved.

The FDCP indicates that County Road standards stop at Mosquito Ridge Road. This area is between the "mixed use" and "historic" areas. Today this "pedestrian area" is unsafe. It does need fixing and therefore needs to be in the FDCP.

- Direct staff to include the requirement that "older" roads on and off the divide between Placer County and El Dorado County and Interstate 80 be included as a policy objective for Divide access so funding could be developed and work performed on the roads.

FIRE

Fire is clearly a potential threat. There is much work being done at a property owner level. From a planning perspective I think we fall short. Large blocks of forest land should be left

as forest land without human intrusion. As more human development occurs in the "forest" the more difficult it becomes for fire management. A way to reduce this potential is to curb intrusion.

Please direct staff to reduce people intrusion "development of houses, retreats, and resorts" into large blocks of forest land. A lower population goal would be the result and this would also help reduce future strain on the present road network. Once a more diversified road access system providing ingress and egress on and off the divide is in place, then one might look at higher population goals.

SEWER

Sewage disposal is a very big issue. The likelihood of a sewage disposal system on the Divide is remote. The task of doing so would require many dollars and a lengthy approval process. Lower density and larger lot size provide a planning solution. We do not need another Colfax or Auburn Lake Trails. Please direct staff to lower land use densities to a level where septic disposal is the safe and healthy option. Fifteen units per acre is too high.

WATER

The Foresthill PUD is the primary water provider for the Foresthill Divide. It serves only a portion of the Plan area. The PUD Water System Master Plan is included in the Final Environmental Impact Report. Basically a reliable water supply is assured today. Based upon the 1981 Plan population build-out estimates, there would be a water short fall of 950 acre feet for build-out. The PUD has no way of knowing what the Board of Supervisors may establish as a build-out population for the 2008 Revised Foresthill Divide Community Plan. The larger increase over the 1981 build-out population, the greater the water short fall will be. Please direct staff to use the 1981 build-out population for the current plan.

FOREST

Many ideas are associated with forest: jobs, recreation, open space, carbon sequestering, timber products, wild life habitat, and more. Forests are beneficial and have high value. This Plan is short in noting these benefits. It is appropriate the Commission has directed the staff to include a Forest Soils Map. In this vein I recommend staff be directed to establish a policy which encourages sustained forest product yield, reduces fire hazard by removal of excess bio mass, encourages conversion of bio mass to energy or similar beneficial uses, promotes and encourages water shed management.

APPENDIX E

The infrastructure analyses conclusions contained in the various planning documents do not support this concept to be included as an option for the Foresthill Divide Community Plan. The proposers of the concept of the Forest Ranch should not have a step-up over any other land owners in the plan area. They should be allowed to pursue their economic interests separately from the FDCP.

Please direct staff to separate Appendix E from the Foresthill Divide Community Plan and direct them to treat the proposal separately as any other proposal for development on the Foresthill Divide.

Sincerely,



Duane Frink

Cc: John Marin, Agency Director Community Development Resources
Michael Johnson, Planning Director
Bruce Kranz, Supervisor District V
Loren Clark, Assistant Planning Director of the Planning staff

PLACER COUNTY
DATE RECEIVED

AUG 26 2008

PLANNING
COMMISSION

August 23, 2008

Placer County Planning Commission
3091 County Center Drive
Auburn, CA 95603

Dear Larry Sevison, Larry Farinha, Ken Denio, Richard Johnson, Gerald Brentnall, Mike Stafford:

We attended the Placer County Planning Commission meeting on August 12, 2008 in Foresthill. We would like to address the subject of the Foresthill Divide Community Plan (FDCP) as it pertains to the input from the community of Foresthill and the Placer County Planning Department Staff. As you know there have been many meetings of various groups such as the Foresthill Forum, and the Foresthill Plan Team, not to mention special planning commission meetings held in Foresthill.

Many documents have been produced; some from official capacity such as The Foresthill Forum recommendation of November 2004 and the Foresthill Forum petition of 2003 signed by Rex Bloomfield, Bruce Kranz, George Grant, Forum members and over 500 Foresthill citizens. There is also a "grass roots" petition started by us with over 1,000 signatures of citizens of Foresthill specifically stating that they want the Forest Ranch property zoning to stay at 530 +/- units. Furthermore if you read the letters from the public responding to the DEIR and FDCP, you will see that the vast majority range from against Forest Ranch, to VEHEMENTLY AGAINST Forest Ranch.

There is a memorandum dated June 14, 2004 from the County of Placer Planning Department to the Placer County Planning Commission which recommends *against* including the project known as Forest Ranch into the community plan. This memorandum was generated by Planning Department Staff under Director Fred Yeager. Since that time, there have been major staff changes in the Planning Department including a new Director, Michael Johnson and new Assistant Director, Loren Clark.

On August 4, 2008 at The Foresthill Forum meeting, the Planning Department gave a presentation with an overview of the FDCP. Their recommendation regarding the FDCP was to REJECT appendix "E" (inclusion of Forest Ranch Project at 2200 +/- units) in favor of appendix "B" (keeps Forest Ranch zoning at 530 +/- units).

On August 21, 2008, the Foresthill Public Utility District (FPUD) held a special meeting at the behest of the Foresthill Chamber of Commerce and Don and Doug Ryan of Forest Ranch Associates. The premise of the meeting was to have a chance for engineers representing the Ryans to meet with engineers who developed the FPUD Master Plan to discuss the FPUD Master Plan as it relates to "Forest Ranch". As you may know, the Ryan Family filed a lawsuit against FPUD several months ago claiming that the FPUD Master Plan was biased against their project.

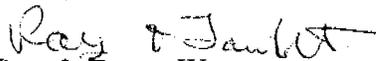
When the meeting started it became obvious that the Ryan Family did not produce their engineers as promised.

The FPUD directors were visibly upset with the fact that the Ryans did not bring their engineers; After all the point of the meeting was to discuss the validity of the data in the Master Plan. In fact, to his credit, Chairman Greg Wells of the FPUD scolded the Ryans for not honoring their end of the agreement. After a presentation by the FPUD engineers explaining the Master Plan, the Ryans began their usual routine of muddying up the subject of water availability with what they are "promising" to do for the benefit of Foresthill residents. They offered up everything from building lakes to building a wastewater treatment plant. The one thing they did not offer and have NEVER offered is a NEEDS ANALYSIS for their proposed project and the appropriate cash deposits to FPUD in order to move forward. They keep demanding a letter from FPUD guaranteeing enough water for their "entire project", but they REFUSE to provide FPUD with the data they would need to analyze the proposed project. Quite honestly, Foresthill residents are sick of this. The FPUD reports they have already expended over \$50,000 of OUR RATEPAYER MONEY just dealing with the Ryan property which is NOT EVEN IN THE FPUD district boundaries! The one nice thing about this meeting was that the Ryans did not have it stacked with all their family and supporters WHO DO NOT EVEN LIVE IN FORESTHILL like they did at the Planning Commission meeting on August 12, 2008.

To further add insult to injury, on August 18, 2008, the Foresthill Forum held a special meeting to discuss the FDCP. At this meeting chairman Larry Jordan informed the other MAC members that this was a special meeting for just the Forum members to discuss the Plan. There was concern by members of the Forum and members of the audience that the meeting format was a violation of the Brown Act; in other words, an illegal meeting. Chairman Jordan insisted that he had talked with County Counsel and they said to go ahead with the meeting. The only person that was allowed public comment was none other than DOUG RYAN. George Grant did come up to the podium uninvited and told the Forum members to vote FOR appendix "E". It seems reasonable to conclude that there are a FEW supporters of the so called Forest Ranch project who have been unduly influenced by the promises of the developer. But we assure you, the VAST MAJORITY of the community of Foresthill is COMPLETELY AGAINST Forest Ranch!!!!!!

Given that 4 years have passed and there is a nearly complete new staff in the Planning Department who came to the same conclusion as the previous staff with presumably more information; and given the overwhelming desire of the citizens of Foresthill to keep the aforementioned property at it's current zoning, the Placer County Planning Commission and Board of Supervisors need to approve appendix "B" and reject appendix "E".

Sincerely,



Roy & Tamra West

25543 Foresthill Rd., Foresthill, CA 95631

Mail: P.O. Box 292, Auburn, CA 95604-0292

Cc: Placer County Board of Supervisors

Mike Johnson, Planning Director

August 23, 2008

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AUG 26 2008

Placer County Planning Commission
3091 County Center Dr.
Auburn, CA 95603

PLANNING DEPT.

Dear Mike Stafford, Gerald Brentnall, Richard Johnson, Ken Denio, Larry Farinha,
Larry Sevison:

We are resident's of Foresthill and have been for the past 38 years. We signed a petition along with 1,000 of our fellow neighbors stating that we DO NOT want Forest Ranch to be re-zoned for 2,200 homes, we want them to be kept at 533 – which is exactly what the petition said. It also said that we are not interested in being forced to connect to a sewer maintenance district or wastewater treatment plant.

We understand that Larry Farinha, District 5 Planning Commissioner is COMPLETELY behind the Ryan's and their so called "vision" for Foresthill – please note that he does not speak for us or our 1,000 fellow neighbors, he speaks for the Ryan's!!!

Please vote NO on appendix "E" and YES on appendix "B" of the Foresthill Divide Community Plan and LISTEN TO THE VOICE OF THE PEOPLE!!!!

Thank you,

William A. Bakker *Myrtle Bakker*

Bill & Myrtle Bakker
25511 Foresthill Rd.
Foresthill, CA 95631

Cc: Placer County Board of Supervisors
Foresthill Forum

Dear Planning Commission/Board of Supervisors:

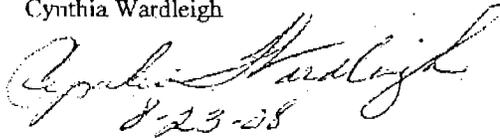
Last Thursday, the community learned from the Foresthill PUD's engineering firm, Eco:Logic, that the Foresthill PUD has sufficient water rights and sufficient water availability to supply the entirety of the Foresthill Community at build out plus the entirety of the Forest Ranch retirement community.

There has been some consternation on the part of the PUD that Forest Ranch has not submitted a plan, but, in fairness, it does not make sense for Forest Ranch to submit such a plan until the policy question about whether the retirement community should be a part of the community plan subject to a specific plan is approved.

Both as a member of forum voting in the majority to support the retirement community project, business owner and a citizen of Foresthill, I recommend you vote in favor of Appendix E on August 28th.

Sincerely,

Cynthia Wardleigh



Cynthia Wardleigh
8-23-08

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PLACER COUNTY
PLANNING COMMISSION
AUG 22 2008

SINCLAIR • WILSON

Attorneys at Law

Facsimile Transmission Cover Sheet

2390 Professional Drive
Roseville, CA 95661

Telephone: (916) 783-5281
Facsimile: (916) 783-5232

Date: August 22, 2008

To: Placer County Planning Commission

Fax No.: (530) 745-3080
Telephone No.: (530) 745-3000

From: RANDALL R. WILSON
SINCLAIR • WILSON

Re: Foresthill Divide Community Plan

Document(s) Being Faxed: Letter

No. of Pages (incl. cover): 12

General Comments: Please call me if you have any questions.

- Original will not follow
- Original will follow by:
- Regular mail Express Mail
- E-mail Federal Express
- Other: _____

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If you fail to receive all of the pages, or experience any problem in receiving this material, please call TERYL at (916) 783-5281.

SINCLAIR • WILSON

Attorneys At LawRANDALL R. WILSON
rrw@sinclairwilson.com
www.sinclairwilson.com

August 22, 2008

Placer County Planning Commission
11414 B Avenue
Auburn, CA 95603Re: Foresthill Divide Community Plan

Dear Commissioners:

During the Planning Commission hearing that was held in Foresthill on August 12, 2008, there was some discussion of the property which is designated as "Canyon Mixed-Use" within the Foresthill Divide Community Plan ("FDCP"). As the makeup of the Planning Commission has changed somewhat since this matter was last heard by the Planning Commission, and as the zoning associated with the Canyon Mixed-Use area has been specifically addressed by the Planning Commission, I will take this opportunity to review the history of this area, and the proposed zoning designation.

The FDCP, as presented by the plan team in 2003, discussed the Canyon Mixed Use area at pages 3-39 and 3-40, stating, in pertinent part, that:

"The Canyon Mixed-Use area has possibly the most potential for new development that can take advantage of the mixed-use concept. The availability of vacant land within this area, the extraordinary views from the parcels within this area and the strategic location of this Mixed-Use area in relation to other areas of significant activity combine to increase its desirability for new development. The unique topography of many of the parcels within this area would be attractive for multi-level commercial and residential uses (such as small crafts shops, artists' studios, etc.) in the future. The larger parcels in this mixed-Use area could provide opportunities for transient lodging, restaurants and other facilities to serve the increasing tourist population that frequents the Divide. There may also be opportunities for larger commercial/residential complexes where the commercial uses are constructed at the level of Foresthill Road with

August 22, 2008

Page 2

apartment units below. In that instance, both levels could take advantage of the views from these properties, and some businesses could have employees very close at hand."

The FDCP, as presented by the plan team, provided, at page 3-35, that "residential densities in the Mixed-Use areas should not exceed fifteen (15) dwelling units per acre..."

The FDCP was submitted by the plan team to the Foresthill Forum in September of 2003. The Forum approved the FDCP, with certain suggested revisions, as evidenced by Brian Connelly's letter of October 8, 2003 (copy enclosed). Of the requested revisions, the only one relevant to zoning is "that the residential zoning in the downtown area shown as RM-DL6 be reduced from six units per acre to four units per acre". This revision has no effect upon the area designated Canyon Mixed-Use.

The FDCP, as presented by the plan team, provided for down-zoning of significant portions of the Foresthill Divide. In response to the concerns of the community, a petition was circulated and ultimately approved by the Board of Supervisors, which required the Foresthill Forum to reexamine the FDCP. The Foresthill Forum again reviewed the FDCP and heard requests by various landowners. At the conclusion of those proceedings, the Forum suggested significant revisions to the FDCP, as set forth in Brian Connelly's letter of November 23, 2004 (copy enclosed). As indicated by Mr. Connelly's correspondence, the Foresthill Forum did not suggest any revisions to the Canyon Mixed-Use area.

Following approval of the FDCP by the Foresthill Forum, the Placer County Planning Department produced a revised zoning map, which was displayed at a Planning Commission hearing. Apparently through inadvertence, and without direction from the plan team, the Foresthill Forum or the Planning Commission, the Planning Department reduced the residential density shown on the zoning map with respect to the Canyon Mixed-Use area from fifteen (15) dwelling units to four (4) dwelling units per acre. I addressed this problem at the Planning Commission hearing held on June 23, 2005, and understood the Planning Commission had directed the Planning Department to revise the zoning map to conform to the original plan team recommendations.

August 22, 2008

Page 3

At the hearing held on August 12, 2008, it appeared some people were concerned that residential density with respect to the property designated Canyon Mixed-Use was being increased from four (4) to fifteen (15) dwelling units per acre, which is clearly not the case. Given the express intent of the plan team to encourage development in the Canyon Mixed-Use area, the approval of this zoning designation by the Foresthill Forum and the previous action taken by the Planning Commission, I respectfully request the residential density provided for in the FDCP remain at fifteen (15) dwelling units per acre.

Sincerely,

SINCLAIR • WILSON

By 

RANDALL R. WILSON

RRW:tlw



COUNTY OF PLACER

FORESTHILL FORUM

P.O. BOX 207 • FORESTHILL, CALIFORNIA 9563

October 8, 2003

Fred Yeager
Mike Wells
Placer County Planning Department
11414 "B" Avenue
Auburn, CA 95603

Re: Foresthill Forum/Foresthill Divide Community Plan

Dear Mr. Yeager and Mr. Wells:

As you may recall at the Foresthill Forum meeting held on October 6, 2003, the Foresthill Forum voted in favor of the Foresthill Divide Community Plan with the following conditions:

1. that the Plan delete any reference to Transfer Development Rights;
2. that the residential zoning in the downtown area shown as RM-DL6 be reduced from six units per acre to four units per acre;
3. that the entire Plan be editorialized to include the most recent statistical data available and that the acronyms, symbols and abbreviations designated are consistent throughout the Plan;
4. that the Plan designate an appropriate area for a gun shooting range.

I have provided copies of all correspondence I have received as Chairperson of the Foresthill Forum pertaining to concerns of citizens and/or property owners regarding the proposed Plan.

I have advised those who attended the four public meetings set up by the Forum to discuss the Plan to provide your Department (with a copy to Supervisor Bloomfield) of their concerns or issues regarding the Plan. Furthermore, as you indicated at the above-referenced meetings, any individuals who have concerns or issues regarding the Plan should attend the upcoming meetings set up by your Department, as well as those to be set up by the Board of Supervisors.

Foresthill Divide Community Plan

October 8, 2003

Page 2

As you well know, this is truly a "process" with respect to establishing a Foresthill Divide Community Plan. Hopefully, the issues and/or concerns raised in these future meetings can accommodate those affected and/or mitigate any adverse impacts.

Finally, please provide me with a copy of any substantive changes to the Plan.

Thank you for your cooperation and assistance in this matter. Please contact me if you have any questions.

Sincerely,

Brian P. Connelly, Chairperson
The Foresthill Forum

cc: Supervisor Rex Bloomfield



COUNTY OF PLACER

FORESTHILL FORUM

P.O. BOX 207 • FORESTHILL, CALIFORNIA 9

November 23, 2004

Placer County Planning Commission
11414 B Avenue
Auburn, CA 95603

Re: Foresthill Divide Community Plan

Attn: Noe O. Feirros, Chairman

Dear Chairman Fierros and Planning Commissioners:

As you know, the Foresthill Forum ("Forum") voted to approve the Foresthill Divide Community Plan ("FDCP") in 2003. Certain issues subsequently arose that were of concern to the Forum and to the residents of Foresthill. Those concerns led to circulation of a Petition, an unsigned copy of which is enclosed herewith as **Exhibit A**.

The above-described Petition was signed by Supervisor Bloomfield, Supervisor-Elect Kranz, a number of community leaders, and over five hundred (500) residents of Foresthill. In response to our concerns, the Placer County Board of Supervisors voted to return the FDCP to the Forum for further review.

Pursuant to the direction of the Placer County Board of Supervisors, the Forum has reviewed the Foresthill Divide Community Plan and has received input from interested parties. Based upon the information gained through this process, the Forum hereby submits the following recommendations:

1. **Zoning.** The Forum has determined that the proposed rezoning of private land located outside the Downtown Area is unnecessary. The Forum therefore recommends that the zoning of all private land located outside the Downtown Area remain consistent with the 1981 Foresthill General Plan, subject to any zoning changes that have been approved by the Placer County Board of Supervisors subsequent to the adoption of the 1981 Foresthill General Plan, and any additional changes addressed herein. A map depicting the Downtown Area is attached hereto as **Exhibit B**. By a copy of this letter to Placer County Planning Director, Fred Yeager, we hereby request that a list of the parcels lying outside the Downtown Area, identified by assessor's parcel number, be provided to you by the Placer County Planning Department prior to your next hearing on the Foresthill Divide Community Plan.

2. **Planned Development.** The Forum, and many of the people of Foresthill, are of the view that Planned Development (PD) zoning is a viable and necessary planning option given the unique topography of the Foresthill Divide. The Forum therefore recommends that all PD zoning outside the Downtown Area be retained in its present form.

THE FORUM recommends that the provisions of the FDCP regarding the Forest Ranch (Pomfret Estate) property, which would allow development of approximately 553 single-family residential units on approximately 1,200 acres, be incorporated into the final plan.

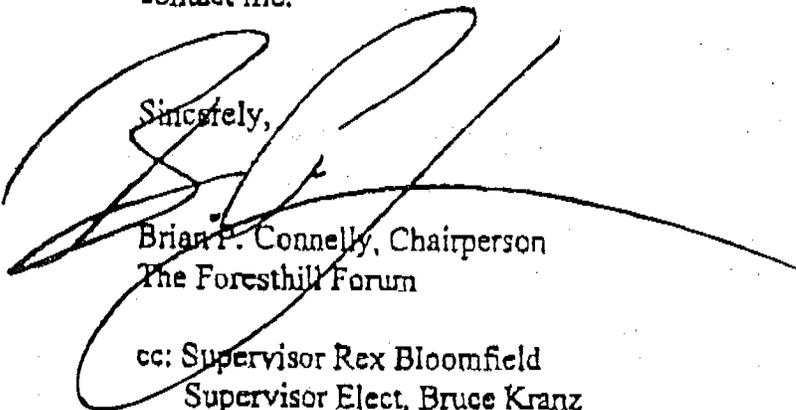
4. **Raintree Residential Subdivision.** The Forum recommends regarding the Raintree residential subdivision, a maximum of thirty four (34) single family residences on approximately 308 acres which is located just west of the current Hillcrest Mobile Home Park off of Foresthill Road, to be incorporated into the final plan.

5. **Downtown Area.** The Forum recommends that the FDCP be adopted as it relates to the Downtown Area, subject to any changes addressed herein.

6. **Additional Revisions.** The Forum recently conducted a series of hearings with regard to the Foresthill Divide Community Plan, which included presentations by each of the landowners whose interests were affected by the FDCP. With regard to those landowners, the Forum recommends the FDCP be revised as set forth in a letter dated October 25, 2004 from Michael Wells, Placer County Planning Department, and as referenced in the summary table enclosed and as set forth in Exhibit C.

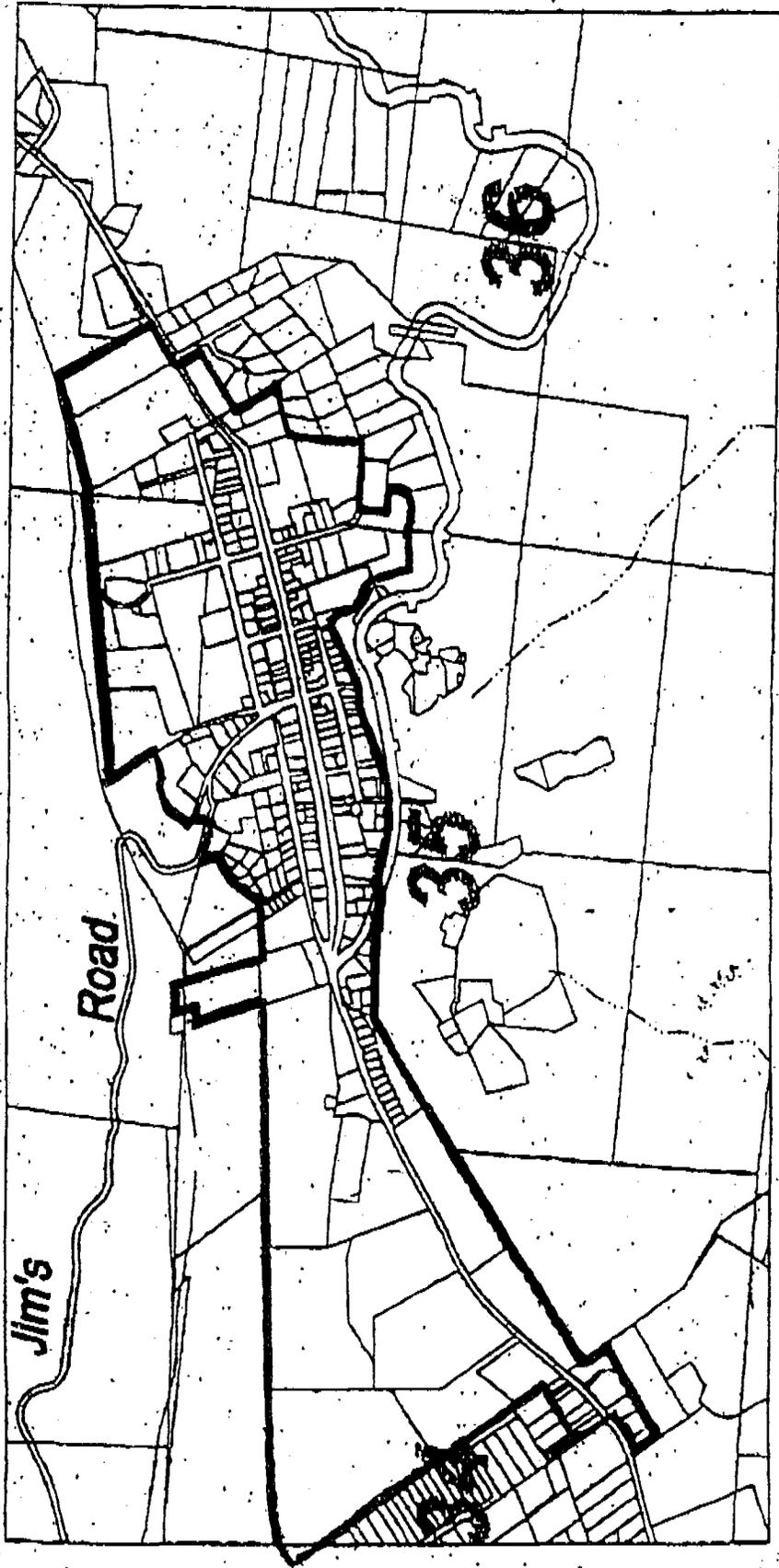
If the Forum can be of any further assistance with regard to this matter, please do not hesitate to contact me.

Sincerely,



Brian P. Connelly, Chairperson
The Foresthill Forum

cc: Supervisor Rex Bloomfield
Supervisor Elect, Bruce Kranz
Planning Director, Fred Yeager
Senior Planner, Michael Wells
Placer County Board of Supervisors
Foresthill Forum Members



Downtown Area 

FORESTHILL FORUM - PROPERTY OWNERS' REQUESTS (Aug 2/Sep 13/Sep 27)
 (SEE LAST PAGE FOR DESCRIPTION OF LAND USE SYMBOLS)

NAME	ADN	AC	EXISTING ZONING	PLANT TEAM ZONING	REQUESTED ZONING	COMMISSION RECOMMENDATION	FORUM HEARING	FORUM RECOMMENDATION
PATEADEVITA	255-090-003 007-210-074 002-210-073	5.1 0.7 1.1	RF B41 PD 1 IN UP Dc IN UP Dc	RF 4.6 IN BY	RF D43 PD 1 R4 R5	RF B 1 RF B 1 RF B 1	8/7	RF B 1 RF B 1 RF B 1
RYAN LAKEA	007-210-077	1.4	RS B 41	RS B 41	RF B 41	RS B 41	9/13	RF B 41
PAT BURKE	258-210-072	49.9	RF B 4.6 PD 21 RF B 100 PD 41	RF B 4.6	RF B 2.3	RF B 4.6	9/13	RF B 4.6 ac
ZONNA COFFMAN (MEDICAL SOCIETY)	CANYON MX		C2 D/S/RS Dc	C2 D/S/RS Dc				C2 D/S/RS Dc
MARCOVRETE	002-210-057	1.4	RS B 41	RS B 41	RF B 41	RS B 41	9/13	RF B 41
BOGSDIEFENDORF	258-140-010 258-200-003	19.7 56.3	AEB 20	RF B 20 RF B 20	RF B 1020	RF B 1020 RF B 20	9/13	AEB 20 ac
RON DREIBACH	073-390-050 073-361-025 073-361-026 073-270-009	29.6 78.9 72.0 32.8 67.0	RF B 20 PD 22/44 RF B 20 PD 22/44 RF B 20 PD 05/22 RF B 20 PD 05 FB 20 PD 05	RF B 40 RF B 40 RF B 160 FOR 160 FOR 160	RF B 4.6 FOR 160	RF B 4.6 RF B 160 FOR 160 RF B 4.6 FOR 160	9/13	RF B 20 ac PD 22/44 RF B 20 ac PD 22/44 RF B 20 ac PD 05/22 RF B 20 ac PD 05 RF B 20 ac PD 05
MARGORIE DRONE	255-050-099	15.0	RF B 20 SP PD 05	RF B 20 SP	RF B 4.6 SP	RF B 4.6 SP	9/13	RF B 4.6 ac SP
FOREST RANCH/DONALD RYAN	26150		FOR 160 RF B 41 PD 1 ITZ DR		RF 1-585 PD 1-60 PD 05		9/27	Plan Team Recommendation (Detailed Review/Feedback)
LANCE OHLBUNG	258-200-808	20.0	RF B 20 PD 48	RF B 20	RF B 4.6	RF B 4.6	9/13	RF B 4.6 ac
MALCOM GLOVER	007-210-004 064-090-023 064-141-008 064-270-010 064-280-002 003 -007 -010 064-290-007 254-010-001 -002 -005 -009 -010 254-080-003	1.7 67.5 319.0 327.6 179.5 17.9 2.5 10.7 4.1 92.2 8.0 15.0 27.5 31.0 51.1 22.0	RF B 160 PD 05 " " RF D 160 PD 05 " " " " " RF B 10 RF B 10 RF B 10 RF B 20 " " " "	RF B 10 " RF B 20 RF B 10 " " " " RF B 20 RF B 10 RF B 10 RF B 20 " " " "	RF B 10 RF B 20 RF B 10 RF B 10 RF B 20 RF B 20 RF B 20 ac 70.78 (ac/term portion) RF B 50 ac (southern 5200 ac)	9/27 9/27	RF B 4.6 ac RF B 20 ac 70.78 (ac/term portion) RF B 50 ac (southern 5200 ac)	
WALTON	255-090-079	1.0	RF B 3 PD 1	C2			9/27	RF B 4.6
ROCK GARNELL	007-010-002 258-170-010 258-170-017	39.9 18.8 13.4	RF B 20 PD 44 PD 05 RF B 40 RF B 20 RF B 20	RF B 2.34 ac RF B 20 RF B 20	RF B 4.6 RF B 20 RF B 20 RF B 4.6	RF B 4.6 RF B 20 RF B 20 RF B 4.6	9/13	RF B 4.6 ac (S) RF B 20 ac (N)

FORESTHILL FORUM - PROPERTY OWNERS' REQUESTS - updated Oct 15, 2004
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NAME	APN	AC.	EXISTING ZONING	PLAN TEAM ZONING	REQUESTED ZONING	COMMISSION RECOMMENDATION	FORUM HEARING	FORUM RECOMMENDATION
HAGOTIAN (TERRACE PROPERTIES)	007-041-003	5.3	RS B10 PD 2	RM DLA	CNTN MX	CNTN MX	9/13	RS B10 PD 2
DANA HENDRICKSON	004-141-009	10.4	REB 160 PD 03	REB 20	RPB 4.6	REB 4.6	8/2	REB 4.6 ac
ERIC KARLA	258-110-057	20.8	RFB 20 PD 44	RFB 20	RFB 4.6	RFB 4.6	9/13	RFB 4.6 ac (1.3 ac S of slope) RFB 20 ac (17 ac S of slope)
CONRAD NEVEL	251-020-004	65.1	RFB 20 PD 22	RFB 20	REB 10 PD 22	REB 10	9/27	RFB 10 ac
STUART REICHARDT	007-210-060	42.6	REB 10 PD 22	REB 10	REB 4.6	REB 4.6	9/12	REB 4.6 ac
RICHARD RYAN	73F-210-060 -076 -077 -078	9.0 4.3 4.0 4.3	RFB 4.6 PD 22	RFB 4.6	RFB 11	RFB 4.6	9/27	RFB 4.6 ac (sub PD)
TODD SELLERS	258-010-005	39.1	RFB 20 PD 44	RFB 20/160	permit split	RFB 10 (cont'd) RFB 20 (cont'd)	9/27	RFB 10 ac (E) RFB 20 ac (W)
DAVID SPANAGIEL	RAINBOW SUB.	308.1	RA B 20	RFB 10 PD 0	RFB 2.3 PD 44 (cont'd) permit split (cont'd)	RFB 10 PD 0 22 RFB 10	9/27	RFB 20 ac PD 11
ERIC STAUSS	078-190-053 -091	88.0 29.9	RFB 20 PD 44	RFB 40	RFB 40/B 4.6	RFB 40/B 4.6	9/27	RFB 40 ac (W) RFB 2.3 ac (E) RFB 4.6 ac (E)
RICHARD SYKORA	007-044-020 255-100-045	21.2 14.6	RFB 10 PD 22 RFB 10 PD 71	RFB 4.6	RF 2.3	RF 2.3 PD 33	9/27	RFB 2.3 ac (N) RFB 2.3 ac (S)
NOLAN VROEGE	255-050-008 255-100-055	3.0 17.9	RFB 20 PD 44	RFB 2.3 RFB 20	RF 2.3	RFB 2.3 RFB 2.3/B 4.6	9/27	RFB 2.3 ac (N) RFB 2.3 ac (S)
BARRY WARREN	088-270-011	72.8	RFB 160 PD 05	RFB 20	RFB 10	RFB 10	9/27	RFB 10 ac

LAND USE SYMBOLS

AE	AGRICULTURE/EXCURSIVE	IN	INDUSTRIAL
B	BUILDING SITE (MINIMUM BUILDING SITE IN ACRES - 8100 - 100,000 SQ. FT. OR 2.3 AC)	MR	MINERAL RESERVE
C1	NEIGHBORHOOD COMMERCIAL	PD	PLANNED DEVELOPMENT (FOLLOWED BY A NUMBER INDICATING UNITS/AC)
C2	GENERAL COMMERCIAL	RA	RESIDENTIAL AGRICULTURAL
Dc	DESIGN REVIEW	RF	RESIDENTIAL FOREST
Dh	DESIGN HISTORIC	RM	RESIDENTIAL MULTI-FAMILY
DL	DENSITY LIMITATION (IN UNITS/AC)	RS	RESIDENTIAL SINGLE-FAMILY
FOK	FORESTRY	SP	SPECIAL PURPOSE
		TPZ	TIMBERLAND PRODUCTION

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Placer Union High School District

MR. DAVE HORSEY
ASSISTANT SUPERINTENDENT
EDUCATIONAL SERVICES

MR. DOUGLAS MARQUAND
ASSISTANT SUPERINTENDENT
ADMINISTRATIVE SERVICES

MR. GREGG RAMSETH
DIRECTOR OF TECHNOLOGY &
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MR. BART O'BRIEN
SUPERINTENDENT

CHANA HIGH SCHOOL
COLFAX HIGH SCHOOL
DEL ORO HIGH SCHOOL
FORESTHILL HIGH SCHOOL
MAIDU HIGH SCHOOL
PLACER HIGH SCHOOL
PLACER SCHOOL FOR ADULTS

August 20, 2008

Supervisor Bruce Kranz
Placer County Board of Supervisors, District 5
175 Fulweiler Avenue
Auburn CA 95603

Supervisor Jim Holmes
Placer County Board of Supervisors, District 3
175 Fulweiler Avenue
Auburn CA 95603

Dear Supervisors Kranz and Holmes:

On Monday, August 18, the Foresthill Forum voted against the Placer Union High School District and Foresthill Union Elementary School Districts' request to have the property adjacent to Foresthill High School rezoned. I understand that this vote is just advisory, but I wanted to share some information on why we made the request for a one-acre zoning. Over the last two and a half years, I have been working with Crystal Jacobsen, Loren Clark, and Michael Johnson at the Planning Department to have the zoning of the surplus property be both compatible with the neighboring one-acre parcels along Timberland Drive, as well as to give future boards of the two districts the most flexibility, should they decide to sell a portion of the property or to develop a section for employee housing.

In the early 1990s, the two school districts partnered to purchase 110 acres of the old mill site. Forty of these acres are owned by the Placer Union High School District and are the current site of Foresthill High School. Twenty acres, along Foresthill Road, belong to the elementary school district and were proposed as a future elementary school site. The two districts have joint title to the remaining fifty acres. Back in the early 90s, there was discussion about developing the fifty acres to help pay for the construction of the school. Later in that decade, there was discussion of creating a forest reserve adjacent to the school site.

My reason for requesting the rezone is that it's in the best interest of the school districts to have the property down-zoned to a one-acre minimum—so, should districts need to sell this property, they would reap the most economic advantage. I stipulate, however, that neither district has considered selling this property. Again, it's about providing flexibility to future elected trustees.

RECEIVED
AUG 21 2008

PLANNING DEPT.

The reason for this letter is to ask for your support when the Planning Commission hears the Foresthill General Plan on August 28. The school districts are not in the business of developing property or providing open space for communities. The Foresthill community, based on the August 18 vote, clearly likes the idea of the school districts providing seventy acres of open space on the central divide. However, I feel it is my responsibility to leave future superintendents and school boards the most valuable asset that I can, especially since it is consistent with the zoning of the adjacent property. Consequently, I am asking for your support.

If you would please call me to discuss this matter prior to the meeting on August 28, I would be very appreciative. My number is 530-886-4405.

Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "Bart O'Brien", written in a cursive style.

Bart O'Brien
Superintendent

JBO:ae

cc: Jim Roberts, Superintendent—Foresthill Union Elementary School
Michael Johnson, Placer County Planning Department
Loren Clark, Placer County Planning Department
Crystal Jacobsen, Placer County Planning Department
PUHSD Board of Trustees

RECEIVED
AUG 20 2008

PLANNING DEPT.

August 19, 2008

Mr. Larry Sevison
Placer County Planning Commissioner
3091 County Center Drive
Auburn, CA 95603

Dear Mr. Sevison:

COMMENTS ON THE PLANNING COMMISSION MEETING - AUGUST 12, 2008

I attended the four-hour meeting of the Placer County Planning Commission on August 12 and was struck by the fact that the Ryans' strategy of "divide and conquer" is working brilliantly. As passionate words were expressed, the emotions in the room were palpable and my thought was that in microcosm we have the "brother against brother" experience of the Civil War. Because a little community like this, at least in some respects, was like a family and here we see the opposing sides on the issue of Forest Ranch begin to tear that fabric apart. I don't know about you, but I find it sad.

It is also sad and pathetic that there are some people in our community that are so desperate for this project to be their savior that it could almost be said to have religious overtones. Watching the Ryans in their attempt to get approval of this massive project that will totally alter the face of this community is kind of like watching "Amateur Hour". They have a problem getting water? Fine, they will build a lake. Can you imagine the issues inherent in that with numerous governmental agencies involved with public health and safety, not to mention environmental issues? Need to have sewer treatment? Fine, they will build small treatment plants for each 250 homes. The only problem is that Placer County does not allow plants like that anywhere in the County. What a pity to have to pin your hopes on this poorly conceived project that will have a major effect on every man, woman and child on this Divide. Are the people who are so ardently for it concerned about the effect on the thousands or just on themselves?

The Chamber of Commerce tries to come across as an official organization representing the town; whereas it seems that a few of them are for it and many are against it as mentioned by one member that night (they can, in fact, be rightfully called a "special interest group"). That night, there were also several individuals for the project who expressed their views, some who live here and several who do not. One person said that 1000 signatures on a petition against the project do not constitute a majority since we have 6000 people in our community. Does that mean we can assume that the majority of the remainder is for it? If this had been a scientifically administered poll, results like these would have statistically shown an overwhelming majority against the project. Obviously, no one can really come to any firm conclusion on what the "silent majority" thinks since we don't have the data. It is incredible to me that those opposed to this size of project are being asked to prove the negative; in other words we must be able to prove that the majority of residents are against this project instead of those in favor being required to show approval. Is this because the Ryans' propaganda campaign has been so effective? If so, it doesn't speak well for county officials if they can be bought by the few and give little consideration to the many that will be adversely affected.

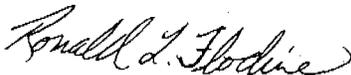
Comparatively speaking, few residents in this community seem interested enough to participate in this discussion. I saw an editorial in the *Glendale (CA) News-Press* a couple of weeks ago talking about runaway development that stated *"Public opposition is difficult to overcome even for well-heeled developers who are politically connected. Public apathy, on the other hand, is a green light to overdevelop and a convenient excuse to public officials who need to be prodded to do their job."* I suspect that the majority of residents don't want a project of this magnitude here, but if we do not speak up now, we can pay for it later with the increased traffic congestion on Foresthill Road just to name one effect that we will all have to live with.

The Planning Department commented that there may be a middle ground or compromise solution. I won't try to put words into their mouths since I do not really understand it, but essentially it would take the Ryan property and designate it as a "study area" thereby relieving the Ryans from starting completely over at square one. The District 5 Planning Commissioner rejected that and made a strong pitch for keeping Option E in the Community Plan (that's the 1700 additional dwelling units over and above the 533 already approved for that land in Option B). You can be sure that the lobbying effort is going full bore and no doubt campaign coffers are being replenished. Supervisor Kranz has indicated that he may not vote for Option E because the infrastructure numbers just don't support it. But the Ryans don't need his vote -- if they get the vote of the Supervisors from Roseville, Lincoln, etc, that will be enough. And what do they know or care about our community? They will not have to live with whatever consequences will ensue from this project if it ever goes forward.

The Ryans have stated it is not "economically feasible" to build 533 dwelling units. What that really means is that they can't make as much money when they sell this investment to a home builder such as Shea, Lennar, etc. if it only has approval for the smaller number. If they were to build their 533 dwelling units, it would begin to provide for some of the things that the business community believes can be attributed to additional population. It would also give the potential for other smaller developers over time to bring their ideas and investments here for a wider diversity of housing units instead of one large investor cutting off all future growth possibilities. The Planning Commission should take a hard look at that issue before recommending inclusion of Option E.

I don't hold it against the Ryans to try to maximize their profit, but to do it here in a small community by trading on the fears of some and creating the discord now running through this town is unconscionable. They don't live here and consequently don't give a damn what they leave behind as they make their exit.

Sincerely,



Ronald L. Flodine
P.O. Box 50
Foresthill, CA 95631

flodine@ftcnet.net

July 24, 2008

RECEIVED
JUL 29 2008
PLANNING DEPT.

In February of this year, I spoke before the Planning Commission regarding the Revised Draft Environmental Impact Report for the Foresthill Divide Community Plan (the "Plan") and concentrated on the issue of fire evacuations in the event of catastrophic wildfires. I felt that this issue was inadequately addressed, especially if the proposed Forest Ranch Project (the "Project"), with its attendant significant population increase, is included as a component of the Plan. As the months go by and residents continue to await approval of the Plan to replace the twenty-seven year old version approved in 1981, I am convinced that a substantial portion of the delay is due to the decision to include the Project in the document. No matter that it is included as an "option", there is still enough controversy over this huge Project to cause our Plan to be held hostage while various issues concerning it are addressed. I think it is time to separate the two and give us our Plan.

County Interface on Forest Ranch Project

As I have watched events unfold in this drama (I'm tempted to call it a "fiasco"), I have been struck by the seemingly easy time of it that the investor/developer of the Project has had. My thoughts on this are influenced by the experience of another developer and his project in a desert town in Southern California where the developer was required to build new roads, widen existing ones and generally ease traffic congestion as well as address myriad other issues. These matters were on full display in front of the town's Planning Commission and the Town Council. Numerous open meetings were held to discuss all these items before a vote was finally taken. And all of this was done for a development of a few hundred homes in a town of 75,000. I hope the analogy is apparent: here we have a Project of 2,213 homes in a community of approximately 5,000 that will increase the population by 80% or so and have a major impact on every man, woman and child living there and that degree of scrutiny of the investor's plan seem to be lacking, at least in the public arena.

The main reason for the difference as I see it is that this development was done in an incorporated town that had its own elected government officials directly responsible to that town's residents and not at the County level. I want to be very clear here: I am not suggesting that your Board will not act responsibly in this matter. I am sure you realize that there are significant consequences to whichever way you vote on this Project. But we are all human and we all tend to pay closer attention to matters that have a direct impact on us personally. No Board member, or Planning Commissioner, or management-level employee of the Planning Department lives in Foresthill and therefore will not be affected by this decision. A recent *TIME* magazine article on Nelson Mandela touched on this. To paraphrase what he said -- people act in their own interest. It is simply a fact of human nature, not a flaw or a defect. Let me stress that I am not criticizing your motivation or your