



**COUNTY OF PLACER**  
Community Development/Resource Agency

**PLANNING**

Michael J. Johnson, AICP  
Agency Director

**TO:** Board of Supervisors  
**FROM:** Michael J. Johnson, Planning Director  
**DATE:** August 24, 2010  
**SUBJECT:** REQUEST FOR CONTINUANCE OF THIRD-PARTY APPEAL OF PLANNING COMMISSION APPROVAL OF A CONDITIONAL USE PERMIT (PCPA 20050072) "LIVINGSTON'S CONCRETE BATCH PLANT"

**REQUESTED ACTION**

The Board is requested to continue the appeal of the Planning Commission's approval of a conditional use permit for the Livingston's Concrete Batch Plant off calendar to an open date, with staff to renounce the appeal for hearing at a future date after completion of all necessary additional analysis.

**BACKGROUND**

The Planning Commission approved a Conditional Use Permit for the Livingston's Concrete Batch Plant on February 11, 2010. An appeal challenging that approval was filed by the Ophir Area Property Owners Association on February 18, 2010. After reviewing the appeal, staff concluded that additional analysis was required to properly respond to the issues raised in the appeal and, at its April 27, 2010 meeting, the Board approved a continuance of the item until the August 24, 2010 Board meeting.

Staff and the applicants continue to work to prepare the additional information that is required to respond to issues raised in the appeal. At this time, however, significant work remains to be completed before staff is prepared to bring the matter before your Board for hearing. Based on the tasks yet to be completed and given the timeframes required by CEQA, this appeal will not be ready for hearing by the Board on August 24, 2010.

Staff is requesting that this item be continued to an open date in order to ensure ample time to complete the required tasks in compliance with CEQA and to address all additional issues raised in the appeal. Continuing the item to an open date will also avoid the need to return to the Board with future requests for additional time should the need arise. The appellant does not object and the applicant has agreed to the continuance of this item to an open date. New public hearing notices will be sent to all interested parties prior to the hearing once a date has been established to assure that those residents who are interested in this project have the ability to participate in the public hearing.

Respectfully submitted,

  
MICHAEL J. JOHNSON, AICP  
Planning Director

cc: Ophir Area Property Owners Association – Appellant  
Livingston's Concrete – Project Applicant

**Copies Sent by Planning:**

Michael Johnson – Community Development Resource Agency Director  
Paul Thompson – Deputy Planning Director  
Karin Schwab – County Counsel  
Richard Eiri – Engineering and Surveying Division  
Leslie Lindbo – Environmental Health Services  
Andy Fisher – Parks Department  
Yu-Shuo Chang – Air Pollution Control District  
Subject/chrono files