

From: [Tom Parrington](#)
To: [Natalie Rizzi](#)
Subject: Planning Commission Hearing on the Leslie Project
Date: Sunday, September 17, 2023 12:23:28 PM
Attachments: [TUO-WFR-SW-PC-email-Lt2.docx](#)
[Timeline \(002\).pdf](#)

Ms Rizzi,

Please see my letter to the Commissioners which I am emailing to you, and have emailed to Jim Cherry, Kara Bechtle, and Jerry Morrow for whom I have email addresses. For the other Commissioners I mailed hard copy on Monday addressed to them at the County offices. Please deliver the letters to them if they are not delivered directly to them when received.

As stated in my letter attached in Word format, this is the one week this Fall that I will be away but this hearing will not be the last on this matter..

Tom Parrington

15589 Wards Ferry Road, Sonora, CA 95370

September 16, 2023

By U. S. Mail & Email
nrizzi@co.toulumne.ca.us

Tuolumne County Planning Commission
Tuolumne County
2 South Green Street
Sonora, CA 95370

Re: 18456 Wards Ferry Road, SW corner Tuolumne Road and Wards Ferry Road
Leslie Application for Zone Change and Conditional Use Permit

Dear Commissioners:

Several months after the May deadline for comments on the draft Mitigated Negative Declaration (draft MND) which the Community Development Department (CDD) had circulated for public comment, the CDD has scheduled a hearing to consider a Conditional Use Permit for heaving equipment storage and log storage for this property. This hearing has been given a very short notice of less than 10 days before the hearing date of Wednesday September 20th. This matter has been pending before the CDD for several years. Written requests for response to comments made on the draft MND by several writers in May have not been made by the CDD until now as set forth in the lengthy materials for this hearing.

Everything about this process has been backwards. As the staff report acknowledges, a condition use permit can only be granted if the zoning is first changed to commercial by the Board of Supervisors. Why now, why the urgency since the Leslie family had graded a great part of the site before a grading permit was ever issued, uses the property for heavy equipment storage, and operates a log milling operation flouting the zoning codes and repeated notice by the CDD to cease such operations. At a minimum your Commission should only consider a request for a Conditional Use Permit after the property has been rezoned by the Board of Supervisors.

The Leslie family has made a mockery of the process that County codes and State environmental laws require. See the attached Leslie RZ18-011/CUP18-013 timeline obtained from the CDD which is only a partial list of letters and memoranda in the CDD file.

In Response to Comments on the draft MND, the CDD states that violations are handled by a Code Compliance Officer when in fact violations were cited numerous times in the letters and memoranda to the Leslies. If this case is an example of code enforcement, one must conclude that there is little, if any, in Tuolumne County.

Again, in response to comments, the CDD references conditions imposed by the Grading Permit issued by the Public Works Department under Permit G2021-00028. The Grading Permit was issued after completion of much of the grading, removal of a significant number of

mature oak trees, disturbance of the stream area, and possible destruction of cultural resources which will never be known. All of the studies referenced in the MND and in the staff report were done after the fact. Most disturbing is that there is no evidence that the CDD conducted an environmental review of the site and proposed additional grading before the Department of Public Works belatedly issued that permit. It is my understanding that the CDD is the entity to perform such review before any permit is issued by the Department of Public Works.

In Response to Comments, under comment B-14 which pointed out that the Initial Study inaccurately describes the surrounding properties which are either residential or commercial and the agricultural parcel known as Wildcat Ranch, the CDD states in relevant part:

“Comment noted. Descriptions of surrounding parcels is based on the General Plan land use designations of the parcels as that is what dictates the uses of a property and the type of development anticipated there. As shown in Figure 4 of the IS/MND, the majority of surrounding parcels contain the GC or LI designations. As parcels proceed down Wards Ferry, they become residential ...”.

Reference to future development as either commercial or industrial under the current General Plan to describe the current setting is not a response as to existing conditions. Future development is speculative, uncertain and the General Plan is always subject to amendment.

Under Response to Comment B 16

Grading on site was conducted under Grading Permit G2021-00028 issued by the Department of Public Works. The Grading Permit is not part of the project scope as it has been conducted under the grading permit.

This is a gross misstatement as that permit was issued before an environmental assessment by the CDD and certainly must be considered as part of the history of this project.

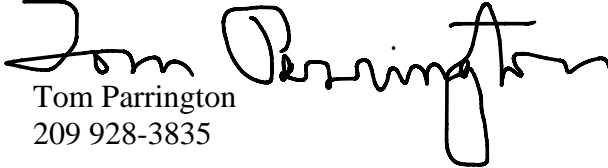
If the past is prolog, why should the County expect that the Leslie family with comply with conditions now set forth in the proposed Conditional Use Permit any more than they have followed Codes and zoning requirements during the past five plus years.

I cannot understand why after such flagrant violations by the Leslie family the CDD is still recommending approval of the conditional use permit, especially since the request for rezoning has not been considered by the Board of Supervisors for this property.

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I regret that I will be unable to attend the Planning Commission meeting but intend to speak at any hearing before the Board of Supervisors.

Sincerely,


Tom Parrington
209 928-3835

TEP:co

Encl. Leslie RZ18-011/CUP18-013 timeline

cc Community Development Department
Attn: Natalie Rizzi

Leslie RZ18-011/CUP18-013 timeline

- 6-26-21 – R Walker requested status of the project site plan and approximate timing for delivery to the county CDD office.
- 5-17-21 – Colleen Leslie confirmed that Dave Ragland was hired to complete the project site plan and grading plan.
- 4-15-21 – emailed site plan requirements for CUP 18-013 to Colleen Leslie.
- 4-12-21 - Kathleen K Haff (Supervisor, D4) requested site plan status.
- 4-5-21 - Kim MacFarlane confirmed the on-site grading violation.
- 3/22/21 – site inspection with Preston Leslie.
- 9-26-2017 - Planning Code Case P17-092 opened.
- Opportunity to correct mailed 11-8-2017 for the following violations:
 - 1. RV used as a dwelling.
 - 2. Outdoor storage of heavy equipment and timber products
 - 3. Demolition of a structure without a permit.
- 11-8-2018 – on hold per Dir of CDD, property owner obtaining proper permits.
- 12-20-2018 - Gave 90-day extension for OTC to extend to 3-25-2018.
- 9-27-2018 - Application for Zone Change RZ18-011 to rezone site to C-1 and Conditional Use Permit CUP18-013 for outdoor storage received by Renee Hendry.
- 10-9-2018 - Renee conducted site inspection.
- 10-22-2018 - Incomplete application letter sent by Renee.
 - Requesting additional project information, cultural study, impacts to wildlife, wetland mitigation
- 7-9- 2019 - Compliance letter sent by Renee.
 - Requesting information, additional violations cited
- 7-16-2019 - Counter meeting with Leslies and Renee.
- 9-12-2019 - Expiration letter sent by Renee.
 - To expire 10-25-2019
- 10-24-2019 - Request for extension received requesting 1-year extension.
 - Submitted by Leslies
- 12-2-2019 - Natalie Rizzi assigned project, new applicant letter sent.
- July 2020 (cant find exact date) internal meeting with Natalie and department managers (Quincy, Kim, Tanya, Dave, Steve, Brian, Rob, Natalie in attendance) to discuss various violations among the divisions
- 7-27-2020 - Status Letter sent by Natalie.
 - To expire 10-25-2020 if no cultural study received
 - Use of log decks more fitting for industrial zoning/general plan
- 10-2-2020 - Natalie conducted site inspection, met Preston & Colleen Leslie on site.
- 10-16-2020 - Contract for cultural study submitted by Colleen Leslie.
- 4-6-2021 - Engineering Code violation E21-004 for grading without permits opened.
- 4-7-2021 - OTC sent by public works.