

# DECISION ON PROPOSED CALAVERAS DEVELOPMENT MAY SHAPE GROWTH

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August 10, 2013

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SAN ANDREAS - The proposed Crazy Horse Estates housing development may only be four lots but its fate could influence whether businesses and homes can grow elsewhere throughout Calaveras County, planning officials say.

And that means there will likely be a historic showdown sometime in the next few months before the Board of Supervisors.

Builder Sam Mosby, one of the investors in Crazy Horse Estates, said he plans to appeal to the board after his project on Pool Station Road between San Andreas and Angels Camp was rejected unanimously this week by the Calaveras County Planning Commission.

The problem, county officials say, is that Mosby and his colleagues want to create 10-acre lots for houses on a lousy road in the middle of working ranch land.

"This project is in direct conflict with the General Plan," said Fawn McLaughlin, chairwoman of the Planning Commission.

Thanks to the way a lawsuit was resolved decades ago, however, the General Plan creates a sticky trap for would-be developers.

That suit, filed by Concerned Citizens of Calaveras County, resulted in a 1985 Court of Appeal ruling that the county's General Plan broke the law because it did not seek to provide adequate roads for development.

Calaveras officials fixed the problem by tightening the county's traffic circulation element, largely banning the creation of house lots in places with roads rated at level of service D or lower.

But officials back then did nothing to change land-use designations, which means huge swaths of Calaveras County are designated for housing development even though there's no realistic way to get adequate roads to the locations, said county Planning Director Rebecca Willis.

Planning Commissioner Michelle Plotnik said that 1985 fix is "unfortunate" because it sets up land buyers to have unrealistic expectations about the development potential of their property.

The 107-acre parcel Mosby and his partners purchased is designated for future single family residential development and zoned for 10-acre lots. But it sits on narrow Pool Station Road, which is rated at level of service D.

Mosby claims that he was told years ago by county officials that it would be possible to divide the land into four house lots and a 65-acre remainder parcel.

The Calaveras County Public Works Department provided a copy of a 2009 letter to Dennis Barksdale, engineer for Crazy Horse estates, saying just the opposite. That letter said Pool Station Road would have to be improved to level of service C or better, something neither the county nor the developers have enough money to do.

After years of economic contraction in Calaveras County, elected leaders are eager to find projects they can approve. Said Mosby, "I would have created some jobs, some work. And then I would have spent my money in this town."

Mosby, a contractor based in Elk Grove, said he hopes to retire to a house he would build on one of the Crazy Horse lots.

Cliff Edson, the elected Calaveras County supervisor who represents San Andreas, said he has met with Mosby to discuss the project. Edson said he doesn't yet know how he'll vote but that it will be difficult to find a solution that is both legal for the county and fair to Mosby.

"Our county is full of those (substandard) roads and we don't have the money to improve them, so we are kind of stuck," Edson said.

Willis warned in her report to the Planning Commission that Crazy Horse Estates will "test the county's willingness to abide by its General Plan."

Lawsuits over land use the county lost in the past show that violating the plan could cause the plan to again be ruled illegal, thus preventing county officials from having a way to approve new projects anywhere until the problems are fixed.

Meanwhile, county staff are working on a long-overdue revision to the General Plan that could be finished next year. That revision would seek to reduce the confusion by putting more-appropriate land use designations on areas where lack of infrastructure, steep

terrain and other challenges mean there is no realistic prospect for development, Willis said.

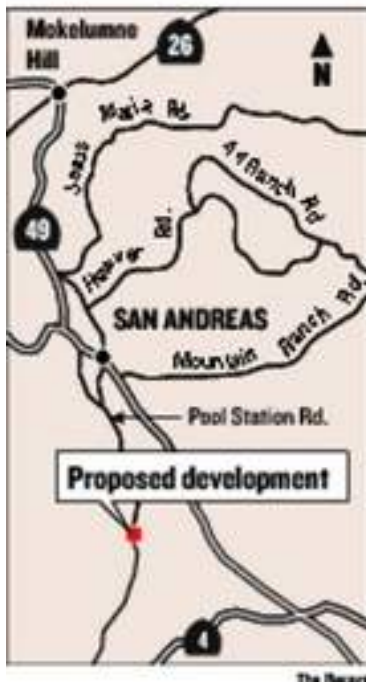
No matter how the land designations get done, they are unlikely to completely eliminate conflict between those who see rolling green hills as a place for new retirement homes and those who want to preserve them as ranch lands.

"It's all ranch land out there, and we do not need a subdivision out there on Pool Station Road," said Leroy Rader, a neighbor of the Crazy Horse site who is in the livestock business. "We do not need this at all."

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## Crazy Horse Estates

The proposed Crazy Horse Estates would carve 100 acres of ranch land into four residential lots, but county planners say it violates the county's General Plan because road access is substandard.



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