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Board of Supervisors, El Dorado County
Government Center
Placerville, CA 95667

Subject: Regarding Board Meeting 8/3/09, # 09-0156, Agenda Item 25
General Plan Amendment A08-0001/Ordinance, OR08-0001Mixed Use Development

Honorable Board of Supervisors:

Regarding General Plan Amendment 2.1.1.3, 2.1.2.5, 2.2.1.2, and Table 2-2 of Policy 2.2.1.3 amending the Mixed-use development policies of the General Plan;

I object to the fact that a Negative Declaration was prepared for this project – which means "No significant effect on the environment." **A General Plan amendment must be in the best interest of the community as a whole, not just a particular developer, land owner or other individual.**

The Mixed Use Ordinance has been hijacked from a cute concept of a Mom & Pop shop with a dwelling unit above it to;

Urban infill, zero line setback, multi-family, reduction of open space, commercial no longer the primary feature of the project, no guarantee of lower amount of traffic, by right with design review by planning, no design standards, residential and commercial can be built on separate parcels with the two not required to be built at the same time, type of ordinance.

At this time there is a mixed use policy in the General Plan which has already been used to approve projects. The Board, for some reason has taken a simple policy and chosen to amend it in a way that will make it very complicated.

County staff contacted four market analysis firms in which resulted in these statements, "Their thoughts on MUD for El Dorado County were

not strong." "This is more commonly found in Redevelopment Project Areas or Infill types of projects." "They recommended the County explore in more detail what exactly are the desired outcomes."

This Mixed Use Policy has been gutted and transformed by the "Working MUD group and planning staff". This will cause results opposite of the policies' original intent.

The next step, after approving this, stated in the Staff report, is to work with Stakeholders (MUD group, developer lobbyists) to create an overlay district, establish design guidelines, regulations and development standards. Are we not putting the cart before the horse? Should not the county establish guidelines first before allowing these projects to come forward? I am very concerned about passing this while Camino & Pollock Pines are still designated as a Community Region.

Per the Staff's Environmental Impact Review; Statements were made in reference to policies and protections being in place that would justify a negative declaration. The majority of these protections, due to the many general plan amendments enacted by the Board of Supervisors, are no longer in place. The other rational for a negative declaration is this amendment will not cause any more impact than the FAR amendment. With the Floor Area Ratio (FAR) amendment (increasing possible density of commercial, R&D, and industry from 23 million square feet to 94 million sq. ft.) there were 26 significant and unavoidable impacts with no feasible mitigation measures that the Board of Supervisors could adopt attached to the Environmental Impact Report. Therefore, at that time, the Board decided that the economic, legal, social, technological benefits outweighed the unavoidable environmental impacts. One of these impacts is surface water shortages. Remember adopting the FAR created **26 additional impacts** to the FAR Amendment which all greatly impact our way of life.

Since the statements in adopting the Mixed Use Ordinance refer to the fact that the impacts of the MUD amendment will not be any greater than the impacts that were stated in the Floor Area Ratio Amendment; therefore, per the staff report there are no impacts.

The other justification by the Board to adopt the Mixed Use Amendment is in regards to SB375 & AB32 which is the State's request for County's to reduce carbon emissions of cars and light

weight trucks. I'm not sure how urbanizing our county to going to help us in complying with these policies. How will Mixed Use Projects create less traffic? As stated by the MUD working group, the mixed use projects will not be low income housing, yet the commercial part of the equation will be for low income jobs. How do you guarantee that the people living in these housing units will be working at the commercial units adjacent? Are there studies that show how adopting this Mixed Use Development Amendment will comply with SB375 & AB32?

If this county continues with this type of justification and development, the state **will** step in and take over our planning process.

After attending a workshop for Implementing SB375 given by the Governor's Office of Planning and Research, my initial feelings about the Mixed Use Amendment and Bonus Densities have been validated. When the panel was asked a question about how can rural counties comply with SB375, the questioner was told that SB375 doesn't work in rural counties and they will not be penalized for emissions for funding. My question then to our Board of Supervisors is, "Why are you using these State policies to urbanize our county?"

Over and over again during the workshop put on by the Local Government Commission we were told that you have to have community input to be successful in your planning.
Our Board of Supervisors need to stop making back door deals and instead ask for **major community participation** to determine each of our community's future, and then make it the "blueprint". Then when projects come forward the developer will know the boundaries. The developer will have to work within the community's predefined boundaries with NO exceptions or mitigation. If they cannot comply with the community's blueprint they need to be turned away at the counter. This would be a much better way to do business.

This county is too precious to play Russian roulette with it's planning. The rush to adopt this poorly crafted Mixed Use Amendment is contrary to the Board's own Vision statement.

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