

Attachment B

General Plan Policy Interpretations

1. Policy 2.2.1.2 – Multifamily Land Use Designation

Action by Planning Commission on June 8, 2006:

Until such time that the Zoning Ordinance is updated, on lands designated MFR and zoned R2 or RM a single family residential unit may be constructed provided that its location and design will not preclude the future use of the site for multifamily residential development.

2. Policies 2.2.3.1, 2.2.3.2, 2.2.5.4, and 2.2.5.13 – Open Space Requirements

Action by Planning Commission on June 8, 2006:

Bodies of water cannot be counted as part of the gross acreage for density purposes, but can be included as a part of the required 30% open space. Golf courses can also be included as part of the open space.

The mandatory planned development requirement applies to residential and non-residential development.

Non-residential development is not required to provide 30% open space.

The 30% open space requirement can be satisfied with land dedicated to or reserved for the following uses:

- *Undisturbed natural resource areas such as oak woodlands or other native habitat*
- *Active or passive recreation areas*
- *Agricultural or forest land*
- *Visual buffers or screening*
- *Bikeway or pathway connections to exterior open space or recreation facilities*

Said open space areas cannot be enclosed within a fenced yard or otherwise set aside for the exclusive use of one tenant or lot owner. Exceptions to the fencing requirement shall be made for pools and other commonly held recreation areas.

3. Policy 2.2.4.1 – Density Bonus

Adopted by the Planning Commission on June 8, 2006:

To take advantage of the density bonus provisions a Planned Development application must be processed.

All areas of a parcel or parcels being developed except for bodies of water may be used in calculating the total available acreage for calculating potential density.

Density is based on the land use designation. Where multiple designations exist for a project, each area would be calculated separately. Bonus units shall be based on the land use designation of the area designated as open space. Transfers of density from one land use designation to another within the project site are not permitted without processing a general plan amendment.

Affordable housing bonuses authorized under the Housing Element are in addition to open space bonuses provided by this policy.

“Public benefit” requires that the open space provide benefits to the general public and shall be determined based on a project by project analysis.

This was further clarified by Board of Supervisors action on October 7, 2008 when following language was adopted:

(1) Planned Developments are to comply with the provisions of General Plan Policies 2.2.3.1, 2.2.3.2 and 2.2.4.1 where applicable;

(2) Policy 2.2.4.1 C shall be interpreted to recognize that public benefit is derived from commonly owned or publicly dedicated lands that are set aside for open space areas, parks and wildlife habitat areas, whether or not those lands are directly accessible to the general public. Open space areas may be used to provide physical and visual separation between adjacent land uses, to buffer adjacent agricultural operations or be incorporated as greenbelt areas in fire safe plans. Preservation of land as wildlife habitat supports resident and migratory bird and animal populations, and may also provide opportunities for corridors or connections between existing protected lands. Both open space and wildlife habitat lands benefit regional water quality by reducing soil erosion and sedimentation, increasing infiltration rates and reducing the volume of nutrients leaching into rivers and streams. These benefits are "made available" to the public, within the meaning of this Policy, when the lands are protected from further development, which in and of itself, constitutes a bona fide public benefit.

4. Policy 7.1.2.1 – Interim Interpretive Guidelines for disturbance of slopes exceeding 30%

Adopted by Planning Commission on June 22, 2006. Establishes guidelines for development on parcels with area exceeding 30% slope. Addresses “reasonable use.”

(See full document at department web site - <http://www.co.el-dorado.ca.us/Planning/pdf/GPPolicy7121InterpretiveGuidelines.pdf>)

5. Policy 7.3.3.4 – Interim Interpretive Guidelines for stream setbacks and reasonable use guidelines

Adopted by Planning Commission on June 22, 2006. Provides procedures for protecting streams and other water features and provisions to reduce setbacks based on biological review.

(See full document at department web site - <http://www.co.el-dorado.ca.us/Planning/pdf/GPPolicy7334InterpretiveGuidelines.pdf>)

6. Policies 8.1.3.2 and 8.4.1.2 – Interim Interpretive Guidelines for agricultural protection setbacks

Clarifies how setbacks are applied and how the application differs within agricultural districts versus outside of districts. Refers to administrative relief provisions as amended by the Board of Supervisors.

(See full document at department web site - http://www.co.el-dorado.ca.us/Planning/pdf/InterimGuidelines_AgSetbacks_07312007.pdf)