

Alliance for Responsible Planning

November 3, 2015

Hon. Brian Veerkamp
Hon. Ron Mikulako
Hon. Shiva Frentzen
Hon. Michael Ranalli
Hon. Sue Novasel
El Dorado County Board of Supervisors
330 Fair Lane, Building A
Placerville, California 95667

Re: Targeted General Plan Amendment/Zoning Ordinance Update (TGPA/ZOU)

Honorable Members of the Board of Supervisors,

Over the past couple of years, the public dialogue regarding implementation of the 2004 General Plan ("Plan") and the TGPA/ZOU has become mired in misconceptions, rhetoric and political soundbites. This sort of "fact free" discussion does not contribute, in any meaningful way, to the formulation of policy or help to guide the decisions your Board will need to make. Alliance for Responsible Planning believes we need to direct the conversation to objective significant factual data.

The most important and misstated objective factual data concerns the number and location of new homes remaining to be built under the General Plan. You have likely heard that "the County is planning for 33,000 new homes", that "Community Regions will be expanded under the TGPA/ZOU", or the "Zoning Ordinance Update will 'densify' the County". **None of this is true.**

It is important the Board and the communities have objective data to reach decisions regarding the General Plan, TGPA, Zoning and new housing developments. Attached to this letter is a report entitled [Land Use Planning In El Dorado County: A Focus on Community Regions \("Report"\)](#) which addresses these concerns both in text and with parcel specific mapping, including maps of each of the four Community Regions (CRs) with sewer and a parcel specific composite map ("**Map**") that identify with colors the CR lands "Available" for residential use. The blackened areas are not available for residential use because they are not planned for residential use (such as industrial/open space/public facilities), have already been developed or have obvious constraints.

The General Plan and Housing

The 2004 General Plan provided for a total of 32,491 homes from a base year of 1999 through completion; the General Plan “horizon” date is now forecast to be about 2035. Nearly half of these homes have already been built, so that fewer than 17,500 homes remain to be built over the next 20 years or more under this General Plan. As part of the strategy to keep the county rural, about 75% of new housing (13,125 homes) is directed into four Community Regions with access to sewer, including El Dorado Hills, Cameron Park, Shingle Springs and El Dorado/Diamond Springs. **Housing forecast for the Community Regions includes about 2,500 multi-family housing units, and 10,625 single family homes, at an annual rate of growth rate of 1.03%**, consistent with the County’s 50-year historic average.

Housing Demand and Supply for the Community Regions

The plan is for the CRs to accommodate 75% of the housing or 10,625 new single family units in the Community Regions. The supply of residential lands available to meet this demand in the Community Regions is identified on the **Map** with different colors for each residential land use category.

The Report identifies the number of existing residential lots for which a building permit has not been issued, lots with an approved tentative subdivision map outside of Specific Plans and land approved for future development within the approved Specific Plans in El Dorado Hills. **There are approximately 6,656 existing or approved parcels in the Community Regions** identified on the **Map** as follows: **5,124 in the Specific Plan** shown in purple on the Map; **893 parcels within approved tentative maps** shown in gray on the Map; and **639 existing residential parcels that will not be further subdivided** as shown in the Map legend.

Outside of the entitled parcels and 257 units of mixed use development forecast within commercial lands, approximately **5,576 acres of land in the Community Regions is “available” for division into single family residential parcels**. “Available” means these lands are designated by the General Plan for single family residential use in the following categories and acreage : **High Density Residential (HDR) 1,367 acres** shown in yellow on the Map; **Medium Density Residential (MDR) 2,555 acres** shown in orange on the Map; **Low Density Residential (LDR) 1,654 acres** shown in cream on the Map .

In summary, there are about 6,656 existing and approved single family parcels available to accommodate about 10,625 new single family homes, leaving about 4,000 new

parcels to be created from the available residential lands shown on the Map in yellow (HDR), orange (MDR) and cream (LDR).

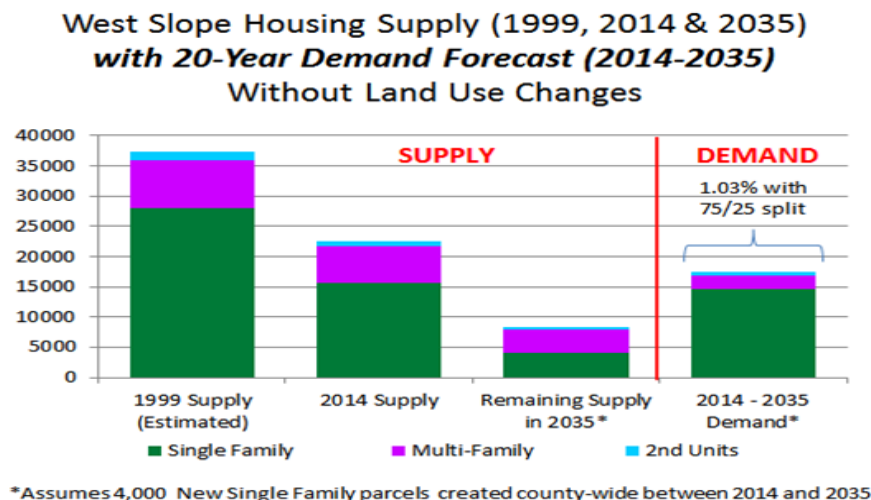
Subdivision of Land from 1999 through the Now Forecast 2035 General Plan Horizon

The primary Plan objective is to direct approximately 75% of new housing into the Community Regions. From 1999 to 2015, the supply for this growth has been met by parcels approved prior to 1999, with less than 1000 new parcels approved by the Board and actually created since 1999.

To accommodate 75% of housing in the Community Regions, about 5,000 new parcels were required in the Community Regions from 1999 to the Plan horizon; less than 1000 have been created in the past 16 years. In other words, since 1999, the inventory of residential parcels have been “spent down” without enough projects approved to replace these parcels.

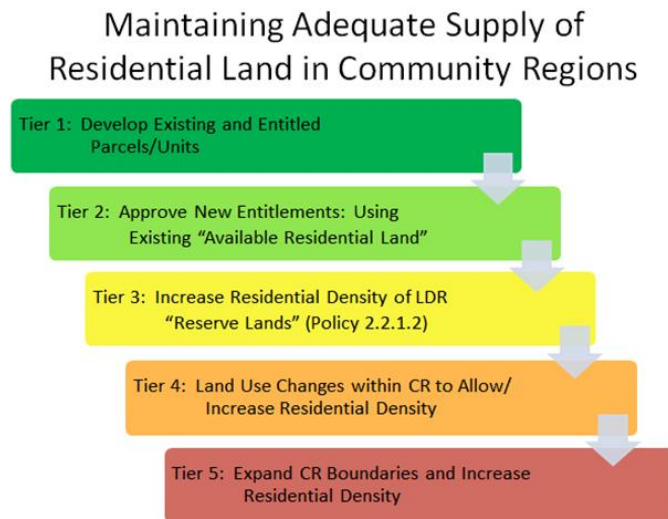
Even with the approval of 4,000 new residential parcels in the Community Regions, the single family parcel inventory will be depleted by the Plan horizon, with no provision for the oversupply required by the Plan. Even assuming 4,000 new parcels in the four Community Regions, fewer than 5,000 homes will have been built on parcels approved and finalized during the nearly 40-year long General Plan horizon. Single family home parcels in the Community Regions will have been depleted; some single-family parcels would remain in rural areas.

The following chart from the Report illustrates the inventory of all residential parcels during the Plan assuming about 4,000 new parcels are created in the four Community Regions.



Criteria or Policy for Approving Residential Projects in the Community Regions

It is suggested the Board consider adopting a policy or criteria to guide future land use decisions to implement the goals and objectives of the General Plan. The report offers an example utilizing “tiers” as outlined below to help prioritize decisions. The goal is to ensure an adequate supply of lots for the remainder of the General Plan, which will likely require planning activity in more than one tier at the same time. The Board might also want to consider other factors in the analysis, such as the extent to which a project proposal achieves General Plan goals and objectives, or whether the project makes efficient use of infrastructure and services.



Sample “Criteria” for Proposed Residential Development Projects

Effect of ZOU on the Community Regions Residential Lands

The ZOU/TGPA has negligible effect on the Available Residential Lands in each land use category within the four Community Regions.

The TGPA/ZOU does not change the land use designations assigned to these lands. With or without the TGPA/ZOU, the residential land would build out as currently approved or as the Community Regions have for at least the past 50 years: **Specific Plans – 5,124 parcels not affected by ZOU; 893 tentative maps not affected by ZOU; 639 vacant residential parcels not subject to division not affected by ZOU; HDR – of the 12,810 existing HDR parcels in the CRs**

with an average size of .5 acres, less than 1,345 acres remain which are zoned within the same density range as the existing parcels; **MDR** – of the 3,442 existing parcels with an average parcel size of 2.04 acres, about 2,500 acres remain which are zoned for the same densities as the existing parcel density; **LDR** – Of the about 10,500 parcels county-wide, comprising 79,200 acres (with an average size of 7.5 acres), only about 42 LDR parcels are located within the four Community Regions; about 30 of these (about 1,550 acres) are larger than the 5-acre minimum parcel size. About half are already zoned consistent; therefore, only about 800 acres need to be rezoned for consistency under the ZOU; these lands will be rezoned for 10 acre parcels, larger than the county wide 7.5 acre actual parcel size.

The ZOU does not Advance the Proposed Major Residential Developments

The large residential projects proposed in El Dorado Hills and Shingle Springs are not affected or helped by the ZOU. Each proposed project requires a General Plan Amendment to change the land use designation. **The TGPA does not change the land use designations for these projects.**

Although some parcels within these projects would be rezoned under the ZOU, the zone changes bring zoning consistent with the voter-approved 2004 General Plan, not the proposed developments. For example, parts of Dixon Ranch and San Stino planned for Low Density Residential (LDR) and currently zoned AE (which becomes obsolete under the ZOU) would be rezoned for 10 acre lots, at the bottom of the LDR density range. El Dorado Hills Golf Course retains its Open Space land use and would be zoned to Recreational Facilities, High-Intensity (RFH) consistent with its use as a golf course in the Community Region. The ZOU ensures these properties are zoned consistent with the plan, **but does not change the land use designations or rezone the land for higher density residential to facilitate the projects.**

Primary Plan Objective and Consistent Actions

The primary objective of the General Plan has been to continue to accommodate 75% of the residential growth in the CRs at the 50 year historical rate and historical densities. To accomplish this, about 4,000 new parcels are required over the now projected nearly 40 year plan period (1999 to 1935+). The General Plan's prime objective must be implemented through a consistent zoning ordinance, Subdivision Maps and a Capital Improvement Program.

El Dorado County Board of Supervisors
November 3, 2015
Page 6

A subsequent report detailing the beneficial effects of the TGPA/ZOU on lands outside the Community Regions will be distributed prior to the Board of Supervisors hearings in November.

Very truly yours;

ALLIANCE FOR RESPONSIBLE PLANNING

[sent electronically via email]

Alliance for Responsible Planning is a nonprofit public benefit corporation, comprised of residents, ranchers, growers and other business owners. We are a “coalition of the middle” – those who feel the dialogue on land use has been dominated by no growth advocates on the one hand and development interests on the other. We support slow growth, support the extension of Measure Y to prevent gridlock, and seek a better future for our families and our community.

P.O. Box 83, Camino, CA 95709 • www.edcarp.org • alliance4responsibleplanning@gmail.com
Alliance for Responsible Planning is a California nonprofit public benefit corporation

11-0356 Public Comment
BOS Rcvd 11-4-15

LAND USE PLANNING IN EL DORADO COUNTY – COMMUNITY REGIONS

I. PROLOGUE

State Planning and Zoning law is the foundation for local planning in California. Each city and county must “adopt a comprehensive, long-term general plan for [its] physical development”.¹ The General Plan must include a Housing Element to ensure each locality meets its “fair share” of the regional housing need for housing affordable to all income groups (RHNA). All land use decisions must comply with state law and be consistent with the adopted General Plan.

El Dorado County’s adoption and implementation of a General Plan has followed a long and contentious course. The County adopted its first General Plan in 1969. During the late 1970’s, the County adopted a series of “Area Plans” as amendments to the General Plan; these Area Plans contained specific planning and development criteria for various communities.

In 1989, the County embarked on a program to consolidate the 24 “Area Plans” into a comprehensive countywide General Plan in compliance with state law. This was the beginning of a 15-year process of planning, public debate, lawsuits and public votes, culminating in the adoption of the 2004 General Plan, and ratification of that plan by county voters in early 2005.

As part of the strategy to “keep us rural”, the 2004 voter-approved General Plan (the “Plan”) accommodates about 75% of new growth within the existing communities of El Dorado Hills, Cameron Park, Shingle Springs and El Dorado/Diamond Springs, and the Placerville periphery along the Highway 50 corridor served by major roads, sewer and water. The remaining 25% of new growth through the General Plan horizon (2035 or later) is planned outside of these four Community Regions, in Rural Centers or within the one-million acres in the Rural Regions.

In 2011, the Board of Supervisors completed a required five-year review of General Plan, which concluded that the underlying Plan assumptions remained valid, but implementation had fallen short of goals in several key areas: the ratio of new jobs to new housing; provision of housing for moderate income households; retail sales and sales tax leakage out of the county; and policies to promote and protect agriculture. The Board directed that a Targeted General Plan Amendment (TGPA) should be undertaken to consider policy changes to address these deficiencies, together with changes necessary to comply with new or revised state laws.

As a cost-saving measure, the Board directed that four previously adopted Resolutions of Intent (ROI) to Amend the General Plan should be consolidated and processed along with the TGPA:

- Designation of historic districts in El Dorado/Diamond Springs;
- Conversion of the Camino/Pollock Pines Community Region to three Rural Centers (Camino, Pollock Pines and Cedar Grove);
- Changes to the Planned Development Open Space policies for certain types of residential development projects in Community Regions; and,
- Expansion of designated Agricultural District boundaries.

¹ Government Code Section 65300

The Board also directed the Zoning Ordinance Update (ZOU) should be consolidated with the TGPA and ROIs to allow all to be analyzed under a single Environmental Impact Report (EIR). The ZOU is a high priority General Plan implementation measure that has been underway since 2006, and is the first comprehensive update of the County's Zoning Ordinance in nearly 30 years. **The last comprehensive update of the Zoning Ordinance was written on a typewriter.** ZOU changes include revisions to the text and zoning map to make the zoning consistent with the General Plan as required by both the Plan and state law, other changes to fix a long list of issues with the current ordinance and to make the zoning ordinance more "user friendly".

At the Board's direction, County staff initiated the TGPA/ZOU along with an EIR to analyze the effects of the proposed changes. Since 2011, the County has also updated its Housing Element, and developed a Travel Demand Model (TDM) to analyze traffic impacts including potential impacts arising from the TGPA/ZOU. The TDM also provides a basis for future analysis of development projects, and to support decisions related to the Capital Improvement Program (CIP), including prioritization of infrastructure improvements.

The TGPA/ZOU has included extensive public outreach, including a dedicated website, email, newspaper notices and more than 100 public workshops and hearings since 2011. Recently, after final hearings over two full days, the Planning Commission forwarded its recommendation to the Board of Supervisors. Soon, the Board will hold additional public hearings to consider certification of the EIR, and adoption of the various elements of the TGPA and ZOU. Alliance for Responsible Planning encourages all interested parties to participate in these important hearings and will post information on our website (www.edcarp.org) and Facebook page (<https://www.facebook.com/edcarp2014>) to encourage informed and open discussion.

A future report will address the TGPA/ZOU's effect on over 1,000,000 acres in the rural areas. This report focuses on the roughly 31,750 acres² in Community Regions with sewer (CRs).

1. Considering that about 75% of new single-family homes are accommodated in the four CRs:
 - a. How many new homes are forecast to be built by about 2035?
 - b. How many new parcels have been approved and created under this General Plan?
 - c. Do we have an adequate supply of approved and entitled residential lots?
 - d. Do we need to create new lots/parcels to accommodate the forecast?
 - e. What land is available to accommodate these new lots or parcels?
 - e. What are the criteria or priority ranking for the approval of new parcels?
 - f. How many residential parcels will remain after the 2035 General Plan horizon?
2. How much new multi-family housing is planned, and where will it be located?
3. How does the TGPA/ZOU affect the Community Regions and the housing forecast?

²This area includes the total of public and privately owned lands within all land use designations. About 400 acres of residential land classified "vacant" by the county, lies both outside the Placerville city limits and within the "Placerville Community Region". Because of the relatively small area involved, we did not analyze this in detail, or map the available land. Some of the 75% of GP growth directed to Community Regions may occur within the 400 acres.

II. LAND USE PLANNING IN EL DORADO COUNTY

The General Plan can be described as the County's "blueprint" for future development. It represents the voter approved view of our future – a land use constitution made up of the goals and policies that are the basis for future land use decisions. The Plan must be *internally consistent*, meaning that the assumptions, goals, objectives, policies and implementation measures in each element must be consistent, and cannot act to hinder or obstruct execution of the plan. The County's Zoning Ordinance, and all subsequent zoning decisions, subdivisions, public works projects, and related permits must be consistent with the general plan. If inconsistent, they cannot be approved.

A. General Plan Land Use Designations

All land within the county is assigned a "*land use designation*" represented by a color on the General Plan Land Use Map. Land use designations broadly describe the planned or allowed use of the property, including Natural Resources (NR), Agricultural Lands (AL), Commercial (C), Industrial (I), and a range of Residential designations including Multi-Family (MFR) at 5 to 24 units per acre, High Density (HDR) at 1 to 5 units per acre, Medium Density (MDR) at one dwelling per 1 to 5 acres, Low Density (LDR) at one dwelling per 5 to 10 acres, and Rural Residential (RR) at one dwelling per 10 to 160 acres. General Plan policies describe the types of uses allowed within each designation or category, and also indicate whether the land use designations are allowed in Community Regions, Rural Centers or Rural Regions of the county.

B. Rural Regions, Rural Centers, and Community Regions

The land use diagram of the General Plan outlines the boundaries of Community Regions and Rural Centers, and designates the areas outside those boundaries as Rural Regions.

Rural Regions comprise more than 1 million acres, or 90% of all land within El Dorado County. More than half (550,000 acres) is publicly owned; and 90% of public lands are owned by the federal government. Nearly two-thirds of all Rural Region land is designated in the General Plan as Open Space or Natural Resources (including timber production), and about 10% is devoted to existing residential uses within the Tahoe basin, outside the South Lake Tahoe city limits. Most of the remaining Rural Region land (about 240,000 acres) accommodates a range of Agricultural, Rural Residential and Low Density Residential uses. Commercial, Industrial, and higher intensity residential uses, including MFR, HDR, and MDR are generally not allowed in the Rural Regions under the General Plan.

The land use diagram identifies 26 Rural Centers – existing locations in the rural parts of the county where goods and services are provided to the surrounding rural communities. While Rural Centers allow a range of commercial and residential uses, the intensity of these uses may be limited, either by zoning or General Plan policy, to reflect the rural nature of the area and the lack of available infrastructure, such as sewer, public water and major roads.

Altogether, the Rural Centers comprise about 15,000 acres, or less than 1.5% of the total land area of El Dorado County. At about 5,800 acres, Georgetown is the largest, followed by Cool

(1,700 acres) and Grizzly Flat (1,400 acres). At the other end of the spectrum, Little Norway is the smallest (28 acres), followed by Latrobe (34 acres) and Fair Play (43 acres).

Camino/Pollock Pines is currently designated a Community Region, but a Resolution of Intent (ROI) adopted by the Board in 2009 proposes to convert this 16 square mile area to three Rural Centers (Camino, Pollock Pines and Cedar Grove). This proposed change recognizes that the proximity to the Camino/Fruitridge Agricultural District makes more intensive development undesirable, and that infrastructure limitations and the lack of sewer service in the area would constrain development there for the foreseeable future. Environmental review is required prior to consideration of the amendment. When the TGPA/ZOU EIR is finalized later this year, the Board will be able to decide whether to adopt this General Plan Amendment.

The remaining five Community Regions are generally located along the Highway 50 corridor from the western county line to Placerville: El Dorado Hills, Cameron Park, Shingle Springs, El Dorado/Diamond Springs, and Placerville³. These Community Regions are located in areas served by major roads, sewer and water infrastructure, and services such as fire protection, sheriff, ambulance, schools and public parks.

C. General Plan Housing

The 2004 General Plan provided for a total of 32,421 homes from 1999 through completion; about 15,000 were built by 2012. About 17,500 remain to be built from 2012 to 2035, at a 1.03% growth rate equivalent to the county's historical growth during the past 50 years. (Although more permits have been issued since 2012, we use the 17,500 unit estimate here for consistency with the TGPA/ZOU.) **The County forecasts that 75% of the 17,500 remaining homes (about 13,125 total) will be built in the Community Regions with sewer and water.**

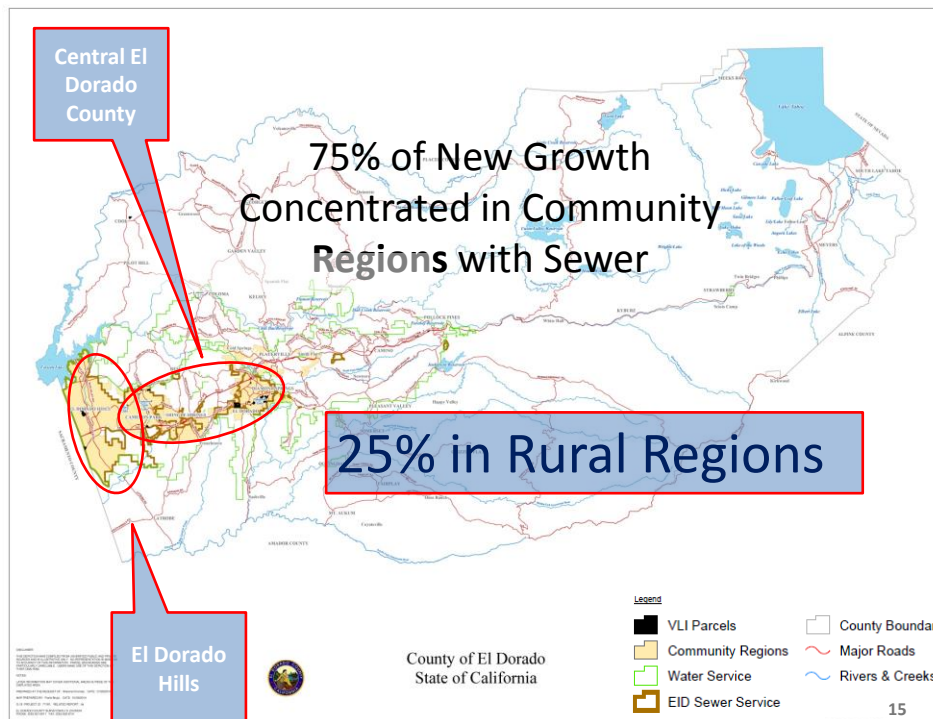
III. COMMUNITY REGIONS WITH SEWER ACCOMMODATE 75% OF NEW GROWTH

The General Plan recognizes and generally continues the pattern of growth that has occurred for generations – a concentration of commercial and residential uses along Highway 50 from Placerville to the west county line. Community Regions were not “created” by the General Plan. These are once rural areas that evolved over generations into commercial and residential centers of activity, served by sewer and water infrastructure and major roads. Construction of Highway 50 during the 1960's accelerated the pace of development activity in the communities west of Placerville. The General Plan continues this pattern by directing future growth into identified Community Regions as part of the strategy to minimize impacts on rural areas, and to make efficient use of available infrastructure and services.

The map below shows where 75% of growth is forecast to occur over the next 20 years. **Community Regions** with sewer are the colored areas generally within the red ovals. The Plan

³ The City of Placerville has jurisdiction over land use matters within its boundaries. The Placerville Community Region includes land outside the city limits that is currently within the County's jurisdiction. Coordination between the City and County in this area is required to ensure that development is consistent with the General Plans of both jurisdictions. Urban level development is discouraged until the property is annexed to the city.

provides that major job centers, hospitals, public facilities, retail, industrial, business parks and residential developments should be located within these Community Regions.



The following discussion identifies existing vacant or underutilized residential land in the Community Regions: what projects or land (such as multi-family sites, Specific Plans and approved subdivision maps) have been approved or entitled for new residential units; and what other *Available Residential Land* can be utilized for future development.

A. Community Region Developed, Existing, Approved, and Available Residential Lands

Following are brief descriptions of the four Community Regions with sewer, including the status of Specific Plans, Approved Projects⁴, Existing Lots⁵, and *Available Residential Land*⁶. Each description is accompanied by a map of the Community Region that depicts developed or non-residential land (**in black**), Specific Plans (**purple**), Entitled Projects (**gray**) and Available

⁴ "Approved Projects" (in gray on the maps), include projects outside the Specific Plans with one or more of the following approvals: Tentative Subdivision Map, Tentative Parcel Map, or Planned Development.

⁵ "Existing Lots" are colored by land use; excludes lots for which building permits have been issued (in black).

⁶ "Available Residential Land" is colored by land use designation and includes unentitled land that is of sufficient size to be subdivided consistent with its General Plan land use, and is either vacant or "underutilized", meaning classified by the County as developed, but eligible for further subdivision based on parcel size and General Plan land use designation. Throughout this report, we refer to the number of existing "parcels" in a given category; because a small number of existing parcels (less than 3% county-wide) have "split land use" or "split zoning" a single parcel number may appear multiple times in the data base, to represent multiple areas or polygons with unique land use and zoning characteristics. For simplicity, we use the term "parcel" to refer to the total number and acreage of the polygons.

Residential Land (**colored by land use designation**) to accommodate the remaining residential development demand forecast for these areas under the General Plan (approximately 13,125 homes)⁷. Commercial land (C/MUD) is included in the analysis to account for the residential component of “Mixed Use Development”, forecast at about 257 dwellings outside Specific Plans through the 2035 General Plan horizon.

1. El Dorado Hills Community Region (EDH)

El Dorado Hills is the largest of the Community Regions at about 15,125 acres (or 24 square miles). EDH has a current population of about 37,000, comparable in size and population to the City of Lincoln. Upon build-out of the entitled properties, EDH will be roughly the size, population and density of the City of Palo Alto (2,500 people per square mile). *Other regional cities with comparable population densities include Chico, Danville and San Rafael.*

Development activity in El Dorado Hills has been underway since the 1960’s. A series of large Specific Plans were approved from 1987 through 1999, including the communities of Serrano, Promontory, Carson Creek, Valley View and Bass Lake Hills. The Specific Plans are accompanied by Development Agreements that include assurances over the long-term that the projects can be implemented as approved. The Specific Plans comprise about 60% of land in EDH and **have been the source of most new residential development in the county since 1999.** As of early 2015, about 5,124 homes remain to “buildout” of the Specific Plans; this is forecast to occur during the estimated General Plan horizon through about 2035.

Outside the Specific Plans, High Density Residential (HDR) comprised about half of the total land area, with another 15% designated Medium Density Residential (MDR). Most of this land is already developed. Our mapping effort identified the following *Available Residential Land*, including existing subdivided lots and acreage described in the Table below:

Table 1. El Dorado Hills *Available Residential Land*, Approved Projects & Specific Plans (SP)

	SP ⁸	APPROVED	C/MUD	MFR	HDR	MDR	LDR
Existing/approved lots (number)	5,124	109		--	282	--	--
Available Residential Land (acres)	--	--	132	6	272	364	280

As shown, in Figure 1, below, the majority of El Dorado Hills is either already developed or covered by one or more approved Specific Plans in various stages of implementation. Outside of the Specific Plans, approximately 282 existing lots, 109 approved lots, and about 922 acres of currently unentitled residential land (excluding C/MUD) is available to accommodate demand.

⁷ The information utilized in our analysis and map preparation was taken from a 2012 database of public records and from 2015 shapefile data obtained from the El Dorado County Surveyor’s Office containing land use, zoning, and other information. The maps depict General Plan land use designations allowing residential uses, including the Mixed Use (MUD) component of Commercial (C/MUD). “Developed or Non-Residential” land includes roads and highways, common open space, Public Facilities, Research & Development, Industrial, residential land that has been divided at or near the minimum parcel size, and land classified by the County Assessor as “developed” that contains improvements making further subdivision unlikely or impractical.

⁸ Specific Plan “Existing lots” include existing tentative or final mapped lots or lots authorized under each Specific Plan on remaining undeveloped land for which a building permit had not been issued as of early 2015.

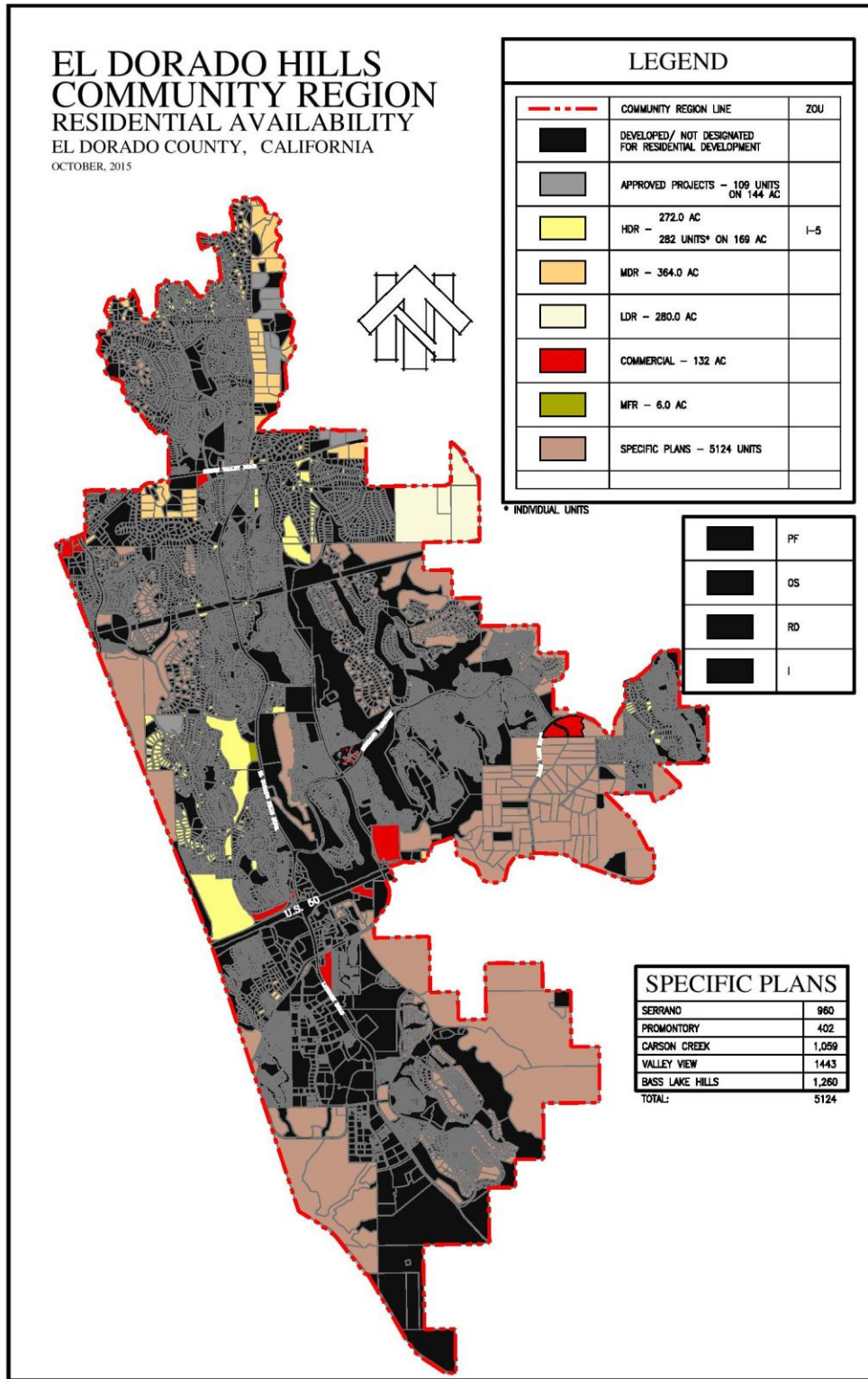


Figure 1. El Dorado Hills Community Region (EDH)

2. Cameron Park Community Region (CP)

The Cameron Park Community Region (CP) encompasses about 4,900 acres. About 15% of the land (750 acres) is publicly-owned, including a portion of the Pine Hill/gabbro soils rare plant habitat area. Cameron Park has a current population of 20,000 people in 8 square miles for a population density of 2,500 people per square mile, comparable to South Lake Tahoe at 21,000 residents in 10 square miles, or 2,100 people per square mile.

There are no Specific Plans in CP, but High-Density Residential (HDR) is the predominant land use, accounting for more than 70% of privately owned land. Development activity has been ongoing here since the late 1950's, so most of the land has been developed. There are a total of 710 *existing or approved lots*; other Available Residential Land is shown in Table 2 below:

Table 2. Cameron Park Available Residential Land & Entitled Projects

	SP	APPROVED	C/MUD	MFR	HDR	MDR	LDR
Existing/approved lots (number)	--	476		--	234	--	--
Available Residential Land (acres)			156	63	650	18	197

While Figure 2, below, shows that most land in Cameron Park is developed, this Community Region the number of *existing or approved lots* is less than 15% of the supply available in El Dorado Hills. (710 in CP vs. 5,515 in EDH). Although Cameron Park contains about the same area of *Available Residential Land* as EDH, rare plant habitat in Cameron Park is a unique constraint that may limit development potential in this Community Region.

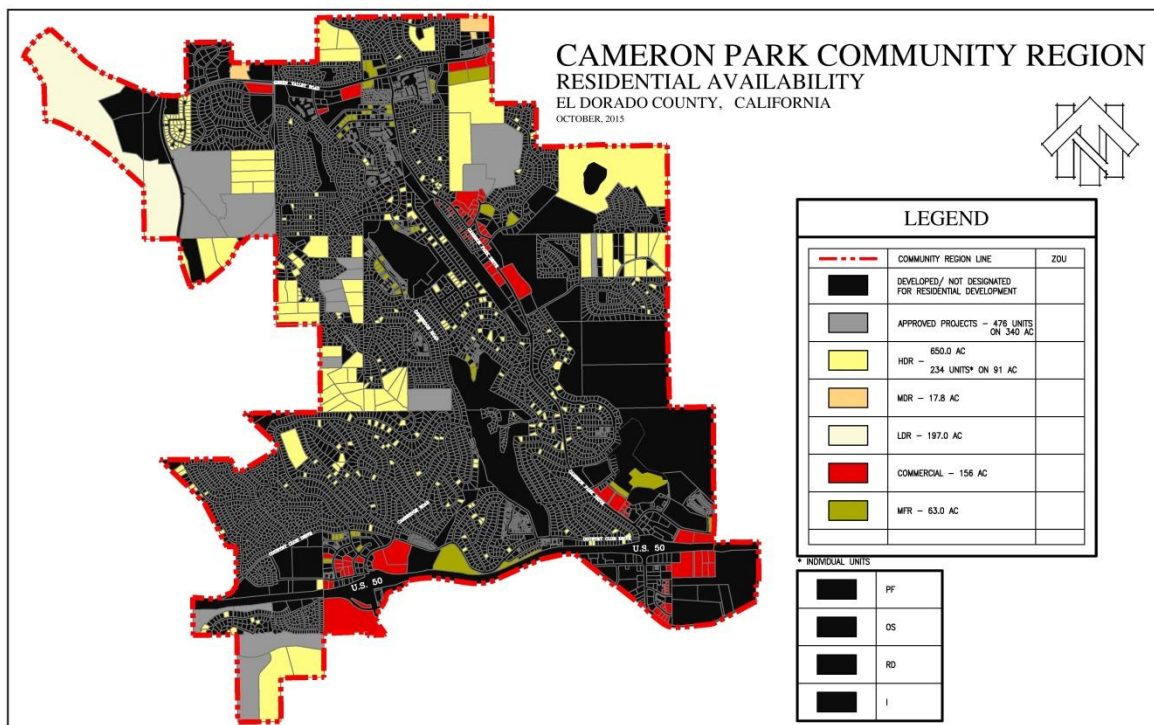


Figure 2. Cameron Park Community Region

3. Shingle Springs Community Region (SS)

At approximately 4,000 acres, Shingle Springs (SS) is the smallest of the Community Regions, both in area and population, with about 3,800 residents in less than 7 square miles. About one-third of the territory is currently undeveloped, and there are few existing or approved parcels.

About 60% of the land (2,400 acres) is designated Medium-Density Residential (MDR); about 70% of this land has been developed. The average existing MDR lot is smaller than 2 acres; undeveloped parcels are generally much larger. There are only 133 approved lots and about 45 existing (MDR) lots. All *Available Residential Land* in SS is shown Table 3, below.

Table 3. Shingle Springs Available Residential Land & Entitled Projects

	SP	Approved	C/MUD	MFR	HDR	MDR	LDR
Existing/approved lots (number)	--	133	--	--	--	45	--
Available Residential Land (acres)			110	54	13	599	748

Figure 3, below, illustrates that a higher percentage of land (about 35% of total area) in the Shingle Springs Community Region is available for residential development but not approved, although planned at lower densities than EDH and CP. The largest block of *Available Residential Land* consists of approximately 700 acres designated Low Density Residential (LDR) on the eastern boundary of the Community Region.

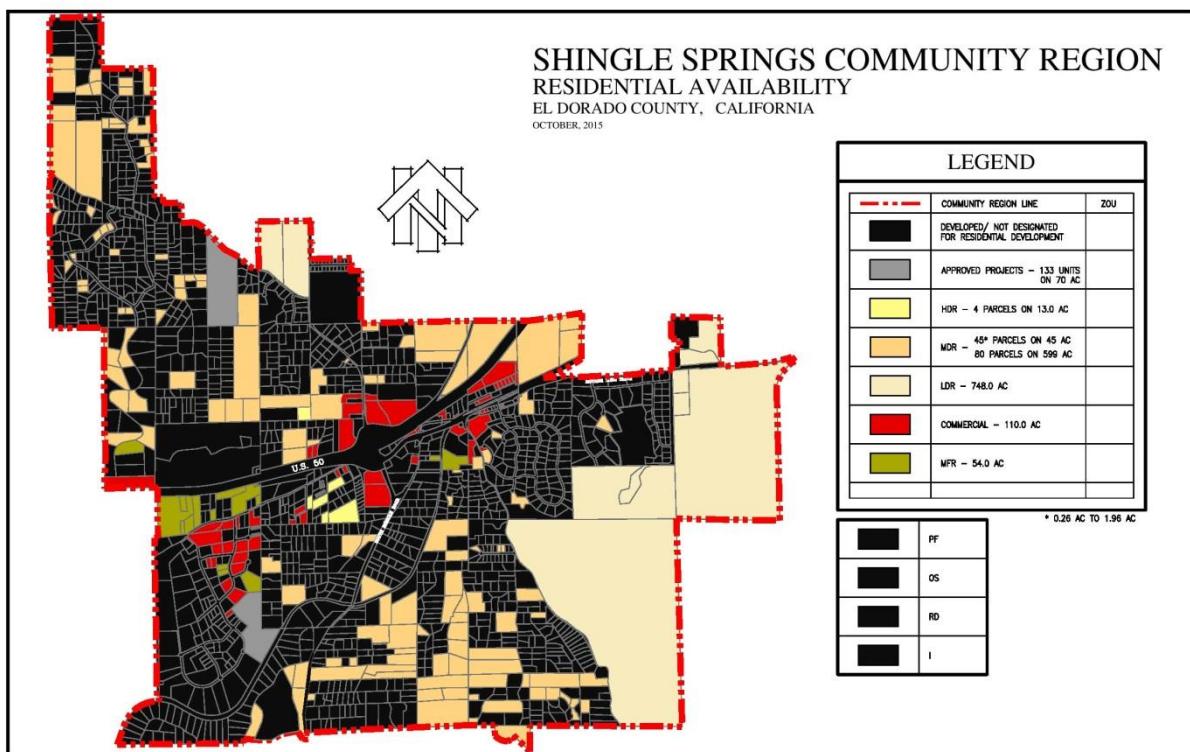


Figure 3. Shingle Springs Community Region

4. El Dorado/Diamond Springs Community Region (EDDS)

At 7,700 acres, El Dorado/Diamond Springs is the second-largest Community Region⁹. With a current population of about 9,000 on 12 square miles, EDDS has a population density of about 750 people per square mile, less than half that of the City of Placerville, at about 1,800 people per square mile (10,000 people in 6 square miles). At buildout, EDDS population density can be projected to be roughly equivalent to Placerville.

Overall, EDDS contains more than 500 acres of MFR, almost 1,300 acres of HDR, 3,600 acres of MDR and about 560 acres of LDR. About two-thirds of the HDR and half of the MDR land has been developed to date. Although only 253 lots are *existing or approved* for development, more than 35% of the land is available for residential use, as shown in Table 4, below:

Table 4. El Dorado/Diamond Springs “Available Residential Land”

	SP	Approved	C/MUD	MFR	HDR	MDR	LDR
Existing lots (number)	--	175	--	--	14	64	--
Available Residential Land (acres)			270	337	432	1,574	429

Figure 4, below shows very few *existing/approved lots*, but a substantial inventory of available land. It also illustrates that EDDS contains a large amount of undeveloped Multi-Family land (MFR) – about 2.5 times the combined total area of the other three Community Regions.

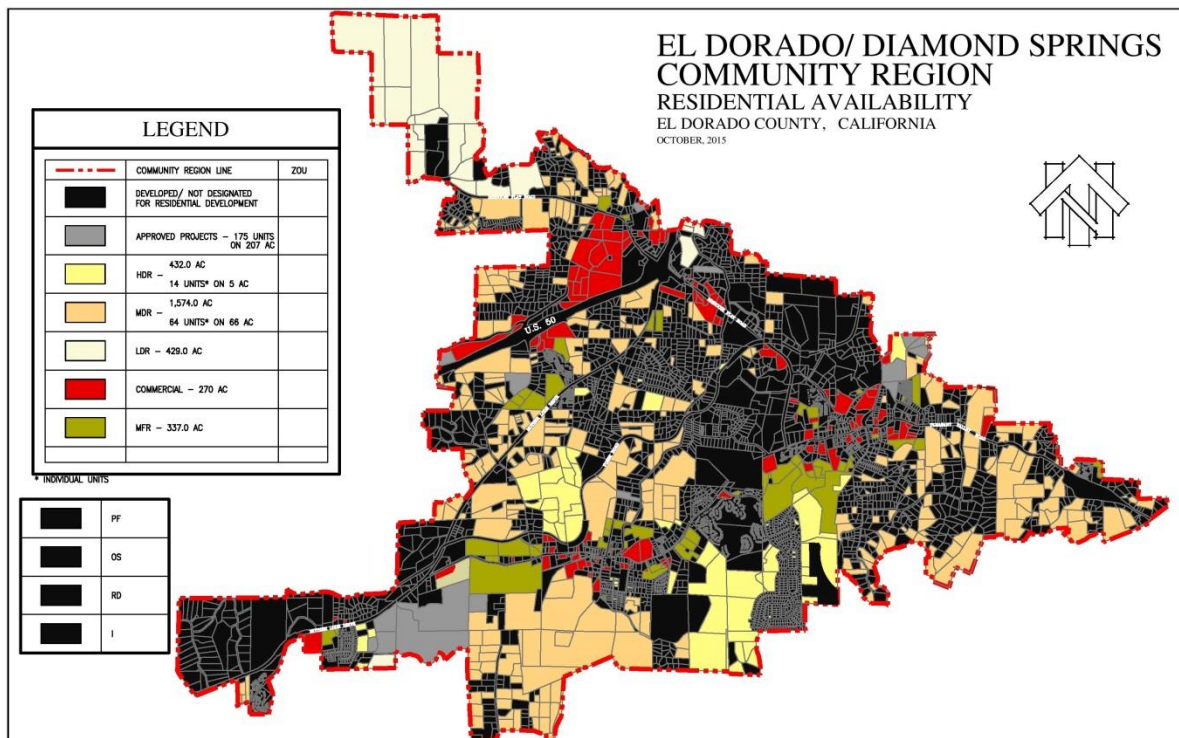


Figure 4. El Dorado/Diamond Springs Community Region

⁹ Our analysis assumes the 10,000+ acre Camino/Pollock Pines Community region, the second-largest after El Dorado Hills, will be converted to three Rural Centers in the TGPA as discussed above.

5. Composite Map – EDH, CP, SS and EDDS Community Regions

Figure 5, below, is a composite of the 31,750 acres in the four Community Region maps above. This map illustrates that most of the western part of the county is developed, located within a Specific Plan or otherwise approved or entitled. Single family residential densities are generally higher within these areas, but relatively little multi-family housing is planned. Moving east, planned uses include more Medium Density Residential, but also more Multi-Family housing sites.

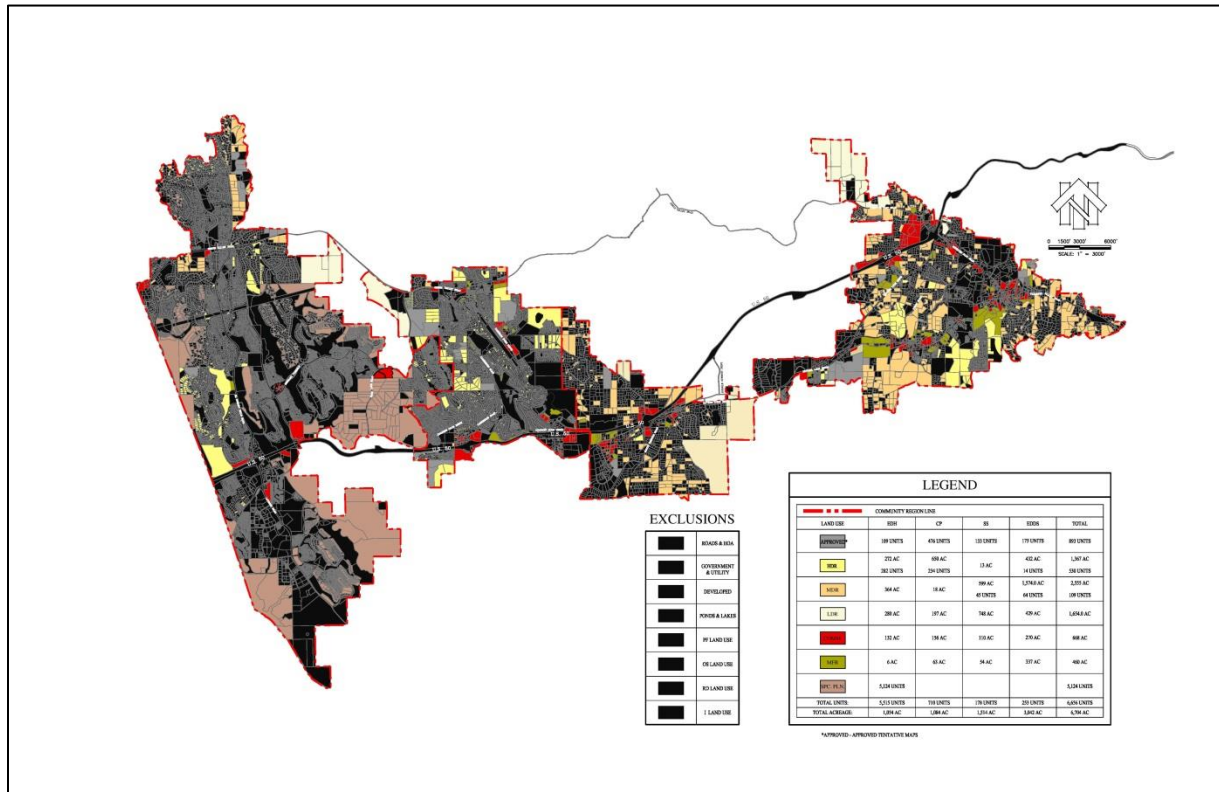


Figure 5 – Composite Community Region Map – EDH, CP, SS and EDDS

Table 5 below summarizes the residential land available for development in these four Community Regions, including lots in Specific Plans, lots that are *existing or approved*, and the acreage of “Available Residential Land” where no entitlements have been approved.

Table 5. Residential Land Available for Development in Community Regions

	SP (# Lots)	Approved (# Lots)	C/MUD (Acres)	MFR		HDR		MDR		LDR	
				Lots	Acres	Lots*	Acres	Lots*	Acres	Lots	Acres
EDH	5,124	109	132	--	6	282	272	--	364	--	280
CP	--	476	156	--	63	234	650	0	18		197
SS	--	133	110	--	54	0	13	45	599		748
EDDS	--	175	270	--	337	14	432	64	1,574	--	429
Totals	5,124	893	668		460	530	1,367	109	2,555		1,654

*Existing Lots for which building permits have not been issued

B. Maintaining an Adequate Supply; Criteria for Residential Development Projects

The analysis and mapping above show the current supply of existing and approved residential lots is insufficient to accommodate 75% of General Plan growth in Community Regions. Nearly 85% of new homes built under this General Plan will be built on parcels approved prior to 1999; fewer than 5,000 new lots were required from the 1999 base year through the General Plan horizon, now about 2035. Contrary to allegations of developer control, less than 1,000 new parcels have been approved by the County (outside the previously approved Specific Plans with Development Agreements) since 1999. Accordingly, about 4,000 new parcels are needed to accommodate housing in Community Regions before 2035.

The General Plan requires review, at five year intervals, to summarize results of the prior period and identify whether amendments are needed to increase or decrease the supply of lots available. In 2011, the Board determined that sufficient land is available to meet anticipated demand without land use changes. The Board has also adopted a policy governing privately-initiated General Plan Amendments (BOS Policy J6; 12/10/2013). Figure 6, below, illustrates a framework that could be used, along with periodic reviews and the Board policy, to maintain an adequate supply of lots and to prioritize decisions on project proposals. Such a framework would provide a level of predictability to residents and guidance to landowners and developers.

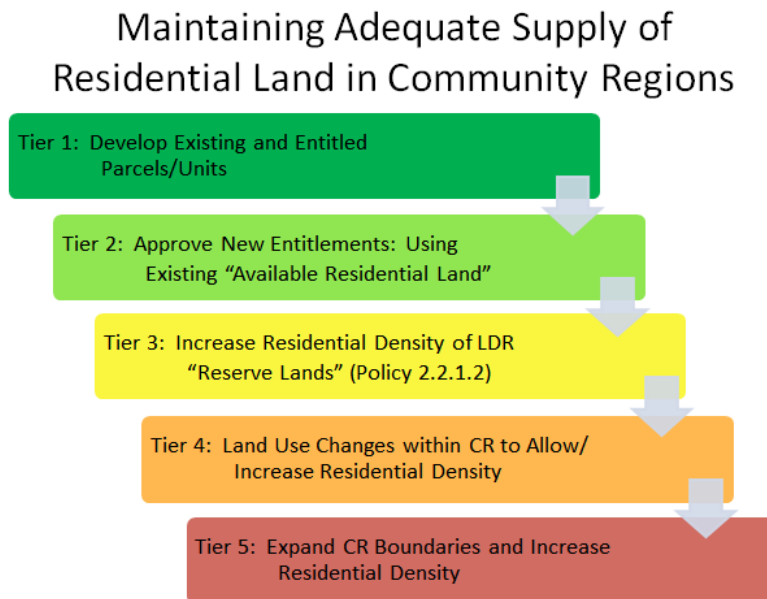


Figure 6. Proposed “Criteria” for Residential Development Projects

The above criteria suggest utilization of land in order of priority or “tiers” to maintain an adequate supply of residential lots. Creating new lots to meet demand can take years and sometimes decades. Lots approved almost 30 years ago in El Dorado Hills are still being used to meet housing demand today. Monitoring gives the County advance warning that the supply is not keeping pace with future demand so that adjustments can be made; the criteria provides options as to where and how to increase the supply of available land. Activity in more than one tier will be necessary at any given time; the Board may also want to incorporate other factors

into their decisions, such as the extent to which a proposal meets General Plan goals and objectives and whether it makes efficient use of existing infrastructure and services.

- Tier 1 – Develop existing and entitled lots. Use strategies to preserve and extend the life of entitlements, such as development agreements and map/permit extensions.
- Tier 2 – Utilize Available Residential Land to create new entitled lots, consistent with the 2004 General Plan land use.
- Tier 3 – Increase density of Low Density Residential (LDR) reserve lands in Community Regions by approving land use changes where infrastructure can be provided.¹⁰
- Tier 4 – Consider amending land use designations of other Community Region lands to increase residential density. For example, convert Medium Density Residential (MDR) site to High Density Residential (HDR), or non-residential to residential use where suitable.
- Tier 5 – Consider General Plan Amendments to expand the Community Region boundaries and concurrently amend land use designations of added territory to increase residential density.

C. Remaining Inventory of Residential Lots at General Plan Horizon (2035 or later)

The graph below illustrates the inventory of residential lots available countywide at the 2035 General Plan Horizon, without land use changes. This graph assumes that an additional 4,000 lots will be created, mostly in Community Regions, from *Available Residential Land* – consistent with existing General Plan land use designations. At the 2035 General Plan Horizon, even after the addition of 4000 new lots, single family residential land supply in Community Regions would be exhausted and the remaining single family residential land would be located primarily outside the Community Regions.

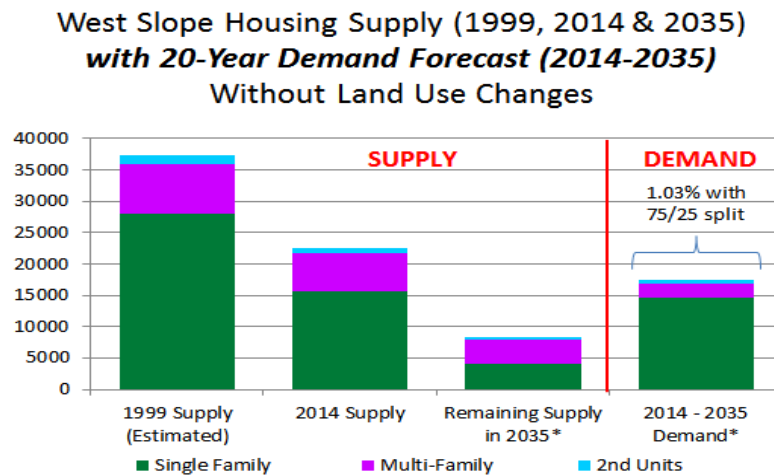


Figure 7. Housing Demand Forecast

¹⁰ General Plan Policy 2.2.1.2 provides “Within Community Regions and Rural Centers, the LDR designation shall remain in effect until a specific project is proposed that applies the appropriate level of analysis and planning and yields the necessary expansion of infrastructure.” LDR in Community Regions (five or ten acre lots) is generally not consistent with the strategy of concentrating growth in these areas to keep the rest of the county rural.

IV. IMPACT OF TGPA/ZOU ON COMMUNITY REGIONS

A. TGPA DOES NOT Amend the Land Use Map

The General Plan Land Use Maps above use color-coded designations to express the intended use of land across the Community Regions with sewer over the time horizon of this General Plan, now about 2035. **Except for a small number of land use map corrections identified during the Zoning Ordinance update, the TGPA does not amend the designated land use of any parcel.** In other words, the General Plan land use map and the Available Residential Lands maps shown above will look the same before and after the TGPA. In addition, the EDH Specific Plans and tentative maps are authorized and entitled under rules and regulations at the time they were approved and are not affected by the TGPA/ZOU.

B. The Proposed Major Residential Projects DO NOT NEED the TGPA/ZOU.

Several major residential projects are proposed in El Dorado Hills and Shingle Springs; these are not affected or helped by the TGPA/ZOU. Each proposed project would require a General Plan Amendment to change the land use designation. Each project has been designed and applications have been submitted through a separate planning process. **The TGPA does not change the General Plan land use designations for these projects.**

Misinformation abounds about the ZOU, especially concerning the effect of rezones on the proposed major residential projects. **Although some parcels within these projects are included in the ZOU, the proposed changes bring zoning consistent with the voter-approved General Plan, not consistent with the proposed General Plan amendments.** For example, the portions of Dixon Ranch and San Stino that are designated Low-Density Residential (LDR) and currently zoned AE (a zone once applied to Williamson Act contracts but obsolete under the ZOU) would be zoned for 10 acre lots (RE-10), at the low end of the consistent LDR density range. Similarly, the El Dorado Hills Golf Course would retain its Open Space (OS) land use and would be rezoned from Recreational Facilities (RF) to Recreational Facilities, High-Intensity (RFH) zone consistent with its use as a golf course located in the Community Region. The ZOU ensures these properties are consistent with their land use designations, **but does not change the land use designations or rezone the land for higher density residential use to facilitate those developments.**

C. Zoning Ordinance Update (ZOU)

“...The existing ordinance and zoning map is both outdated and inconsistent with the General Plan, which leads to uncertainty and confusion for the public. It affects people purchasing property who want to know what to expect on land adjacent to them, applicants for development projects who need to know the procedures and standards by which they need to abide, and decision makers who need to be consistent in applying the code.”

– Roger Trout, Staff Report to Board of Supervisors, April 11, 2011.

The ZOU is the first comprehensive update of the County’s zoning ordinance in nearly 30 years – **the last comprehensive Zoning Ordinance update was written on a typewriter**. It was undertaken to bring zoning into consistency with the 2004 General Plan as required by the General Plan and state law; to add, delete or rename a number of zone districts; to fix problems with the current ordinance; and to reorganize the ordinance to make it easier to use.¹¹

Although some 37,000 parcels countywide will be rezoned, all but about 6,000 of these zone changes are driven by zone name changes, the addition or deletion of zones, to match zoning with existing parcel size, or other corrections. **Countywide, only about 5% of parcels would be rezoned to achieve consistency with the General Plan.** Parcels to be rezoned because current zoning is inconsistent with the General Plan Land Use Map are identified in Figure 8, below.

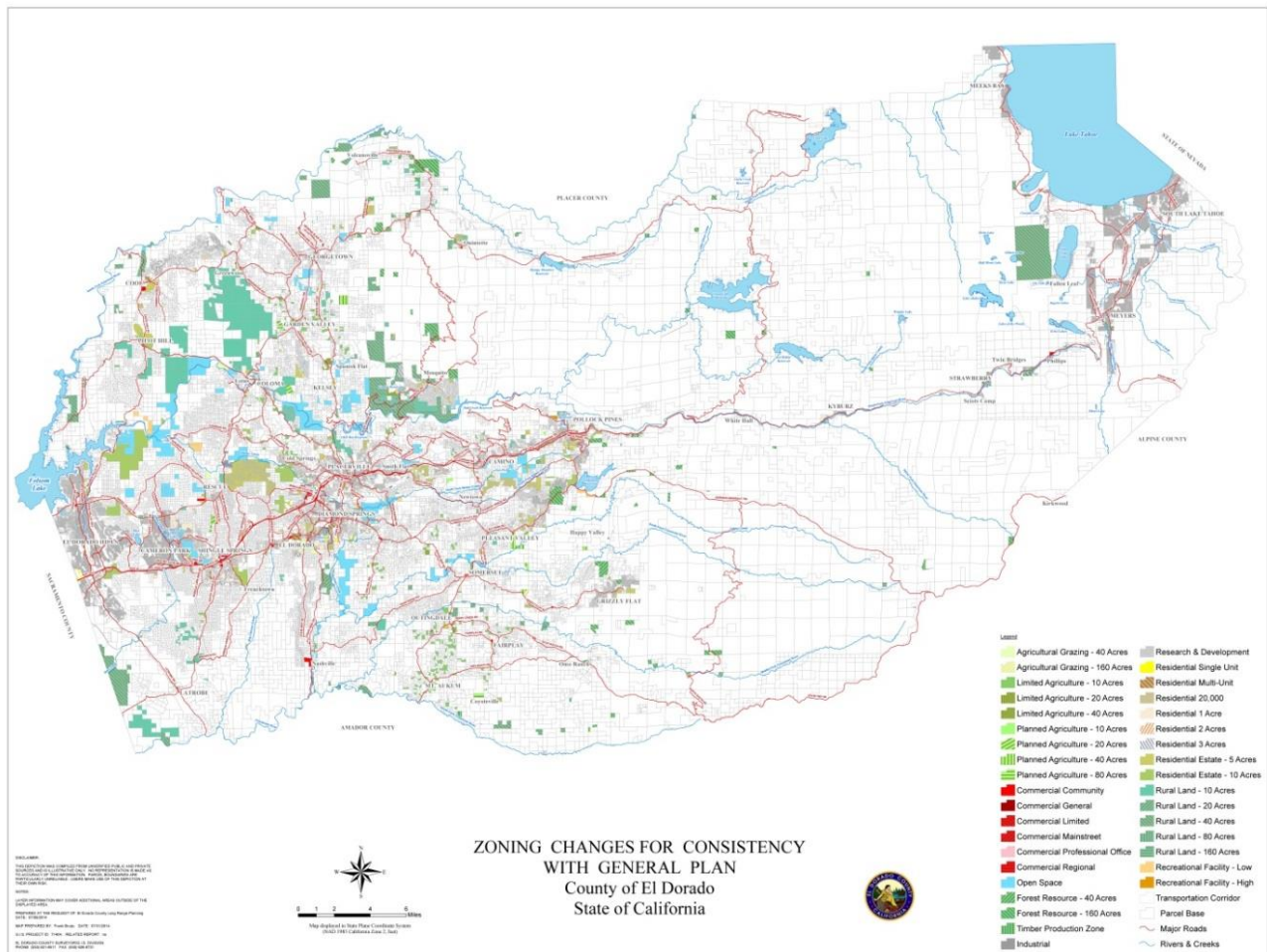


Figure 8. Zoning Changes for Consistency with General Plan

General Plan “consistency” does not mean “maximum density”. In fact, the mapping rule sets used to develop the ZOU maps generally provide for residential land currently zoned below the consistent range to be rezoned at the low end of the consistent range. For example, one-acre

¹¹ The effect of changes in the ZOU in Rural Centers and Rural Regions will be covered in more detail in a subsequent report. The information below summarizes the changes applicable within Community Regions.

lots in HDR, three- or five-acre lots in MDR, and ten-acre zoning in LDR are all consistent and at the low end of the allowable range.¹²

D. ZOU in the Community Regions

About 27,800 existing parcels (26,800 acres) are located within the four Community Regions with sewer. Of these, about 26,000 parcels (22,900 acres) are planned for residential use, not including commercial/mixed use capacity. Most of this Community Region land has already been developed. This report and the accompanying maps identify remaining land to accommodate future residential development within the Community Regions, including Specific Plans, approved projects outside Specific Plans, existing subdivided lots and unentitled land, referred to in this report as “Available Residential Land”. This section of the Report describes the effect of the Zoning Ordinance Update on identified “Available Residential Land” by land use designation.¹³

- El Dorado Hills **Specific Plans** approved prior to 1999, authorize an additional 5,124 new residential dwellings. Some of these use unique zone designations, while others including Bass Lake Hills, use zone designations found in the County Zoning Ordinance. Where zones are eliminated or renamed under the ZOU, the Specific Plan parcels are treated like other similar parcels and rezoned to a comparable zone designation. Since the “A” zone will be eliminated, Bass Lake Hills parcels with “A” zoning are to be rezoned to RE-10, the closest equivalent in lot size and permitted uses. The ZOU has no effect on the number of new homes that may be built under the Specific Plans (shown in purple on the maps).
- **Approved Projects** represent various approved Tentative Subdivision Maps and related entitlements outside the boundaries of the Specific Plans. Shown in gray on the maps, and totaling 893 lots, these projects and the number of lots approved by the County are unchanged by the ZOU.
- **Existing Lots** are shown in yellow, light orange and tan on the maps. In general, these parcels are vacant and available building sites, but have already been divided to their minimum size and have no further subdivision potential. There are about 530 of these

¹² For more than 40 years, Government Code section 65860(a) has required that a county’s zoning ordinance must be consistent with the county’s General Plan”. Zoning is “consistent” with the General Plan if “...the various land uses authorized by the ordinance are compatible with the objectives, policies, general land uses, and programs specified...” in the General Plan. (Government Code section 65860(a)(2)). When “zoning becomes inconsistent with a general plan by reason of amendment to the plan... the zoning ordinance shall be amended within a reasonable time so that it is consistent with the general plan as amended.” (Government Code section 65860(c)).

¹³ Our analysis excludes publicly owned and common area land within the four Community Regions with sewer service (El Dorado Hills, Cameron Park, Shingle Springs and El Dorado/Diamond Springs), utilizing data obtained from El Dorado County based on 2012 and 2015 parcel data. The 2015 data contains about 335 parcels not found in the 2012 database; these are believed to be new parcels created from existing entitlements (within Specific Plans or approved tentative maps). These new parcels, are generally not affected by the ZOU, and are not included in the analysis. Less than 100 parcels involving General Plan land use map corrections through the TGPA are also excluded from our zoning analysis.

lots in High Density Residential (HDR) land uses and only about 109 in Medium Density Residential (MDR). Again, the ZOU does not affect the number of these lots, and does not increase development potential of these lands.

- **Commercial (C)**. This land use designation is shown on our maps (in red), only because these lands allow mixed-use residential units where compatible with other uses in the zone. General Plan Policy 2.2.1.2 provides that numerous zone districts shall be utilized to direct specific land uses to appropriate areas of the County. In compliance with this Policy, the ZOU proposes a number of zones, such as Main Street commercial (CM), applied to the historic township of El Dorado/Diamond Springs; Community Commercial (CC); Limited Commercial (CL); and Regional Commercial (CR). In general, whether the current zoning is a more general commercial zone, or is completely inconsistent with the land use (i.e., RA-40 or AE), a majority of commercial lands will be rezoned to one of the new zones consistent with the directive of Policy 2.2.1.2. These zone changes affect both developed and undeveloped land, and do not increase the number of mixed-use units built over the General Plan horizon. Much of the commercial land has already been built, and the number remains constant at an estimated 257 dwellings within the identified 668 acres of Commercial land.
- In the **Multi-Family Residential (MFR)** land use designation, the two consistent zone districts, Limited Multifamily (R2) and Mobile Home Park (MP) are to be eliminated and replaced with under the ZOU by the Multi-Unit Residential (RM) zone. There are at least 1,670 **MFR** parcels (928 acres) in the Community Regions, including existing developed units.¹⁴ Nearly 1,450 of these are affected by this “name change” rezone from R2 or MP the new RM zone; the remaining parcels are currently zoned inconsistent with **MFR** and will be rezoned to **RM** for consistency. Our mapping analysis identified about 460 acres of “unentitled” MFR land that would be available for future residential development. We estimate **about 435 acres are affected by ZOU; 145 acres subject to a “name-change” rezone from R2 to RM and about 290 acres to be rezoned to RM for consistency.**
- **High Density Residential (HDR)** includes 12,800 existing parcels within 6,800 acres (for an average parcel size of .53 acres). Our mapping identifies about 1,367 acres in larger lots available for subdivision, along with about 530 existing subdivided lots. We estimate **approximately 775 acres of HDR land of sufficient size for future subdivisions would be affected by ZOU;** where zoning is inconsistent with the land use designation, about 85% of this land would be rezoned R1A, at the low end of the density range.
- **Medium Density Residential (MDR)** consists of about 3,400 parcels on 7,000 acres (average parcel size about 2 acres). Our mapping identifies about 2,555 acres available for potential subdivision, along with about 109 existing subdivided lots. The ZOU affects

¹⁴ The number of multi-family dwellings in within the Specific Plans cannot be determined from our database; however the total dwelling unit counts remaining within the Specific Plans does include the number of multi-family units remaining to be built.

mostly smaller existing and developed lots to be rezoned consistent with the current lot sizes (R1A, R2A and R3A). Excluding the 300-acre Forni Ranch (the only remaining active Williamson Act contract property in the Community Region), **less than 350 acres of MDR in parcels larger than 5 acres which are available for future subdivision would be affected by ZOU.** Nearly all of these are currently zoned RE-10 (inconsistent with MDR) and would be rezoned RE-5, at the low end of the density range.

- Low Density Residential (LDR)** includes about 10,500 parcels county-wide, comprising 79,200 acres (with an average size of 7.5 acres). Only about 42 LDR parcels are located within the four Community Regions; about 30 of these (about 1,550 acres) are larger than the 5-acre minimum parcel size. About half are already zoned consistent; **therefore, only about 800 acres need to be rezoned for consistency under the ZOU.** Most are “rolled-out” Williamson Act contract lands that retain obsolete AE zoning. These include the remaining portion of Dixon Ranch (about 300 acres), the Scheiber Ranch (about 300 acres and part of the San Stino project) and about 400 acres in several ownerships in El Dorado/Diamond Springs. These parcels will be zoned RE-10; any subsequent development plans for lots smaller than 10 acres would require future discretionary rezoning.

Summary of ZOU on Unentitled Residential Land by Designated Land Use

Most ZOU changes in Community Regions relate to existing developed parcels and have no impact on future development potential. The ZOU has no significant effect on development potential or residential capacity within the Community Regions with sewer. **In fact, less than 2000 acres of unentitled land available for future single family residential subdivisions are affected by the ZOU consistency rezones. In general, these fall at the low end of the General Plan density range, as described in the table below:**

Figure 9. Effect of ZOU on Unentitled Residential Land in Community Regions.

General Plan Land Use Designation	Existing Parcels in EDH, CP, SS and EDDS Community Regions			Available Land “Unentitled”	Available Land Unentitled; ZOU Rezones for Consistency	Notes about ZOU Consistency Rezones
	# Parcels	Acres	Avg Size (Acres)	Acres	Acres	
HDR	12,810	6,758	0.53	1,367	775	85% zoned R1A (low end consistent range)
MDR	3,442	7,038	2.04	2,555	350	Parcels > 5 acres zoned RE-5 (low end consistent range); Forni Ranch AG-40 (in WAC) excluded. FN1
LDR	48	1,775	36.98	1,654	800	Rezone to RE-10; FN2

FN1: Parcels < 5 acres generally zoned consistent with parcel size (R1A, R2A, and R3A). 350 acres “unentitled land” to be rezoned for consistency includes parcels > 5 acres (except 300-acre Forni Ranch, which remains under Williamson Act contract.)

FN2: 800 acres “unentitled land” to be rezoned for consistency excludes parcels smaller than 5 acres.

E. Controversy Involving ZOU in Community Regions

Most of the objections to ZOU changes in the Community Regions are really challenges to the underlying General Plan land use. Some object that proposed zoning, although consistent with the land use designation, is “incompatible” with adjacent (primarily residential) uses. Others stand planning and zoning law on its head by suggesting that the General Plan be amended to conform to current zoning, rather than make zoning with what they consider an inappropriate General Plan land use designation.

Another variation on this theme is based on General Plan Policy 2.2.5.6, which provides:

“Policy 2.2.5.6 Where approval of this General Plan has created inconsistencies with existing zoning, lower intensity zoning, in accordance with Table 2-4, may remain in effect until such time as adequate infrastructure is available to accommodate a higher density/intensity land use.”

Advocates of this approach suggest that inconsistent zoning, with allowed uses or lot sizes below the range established by the General Plan, should be allowed to remain in place (or a new inconsistent zone should be applied through the ZOU) until a future time when the undefined “infrastructure” is available to serve the development. This position lacks foundation, in that no objective analysis has identified any significant existing infrastructure deficiency, let alone a deficiency that can only be mitigated by keeping inconsistent zoning in place.

On the contrary, **substantial evidence in the 2004 General Plan and TGPA/ZOU record establishes that infrastructure is generally available** to serve future development. Most commercial, industrial and 75% of future residential development is planned for Community Regions where sewer infrastructure is available. The travel demand model indicates that adequate levels of service can be maintained through improvements programmed in the Capital Improvement Program (CIP), and water purveyors, including EID, indicate that sufficient supplies are available to serve development through the General Plan horizon. School Districts, Fire Protection Districts, CSDs and similar special districts have established fee programs to provide for necessary facilities and services. Before approval of a new development project, the applicant must demonstrate and the county must find that the project is consistent with the General Plan and that adequate infrastructure and services are available or can be provided.

Some TGPA/ZOU comment letters suggest that, once zoning is consistent with the land use designation, the county has somehow forfeited its discretion to approve or deny future development entitlements. Nothing could be further from the truth. It’s never a simple downhill slide to approval of a tentative subdivision map (more than 4 parcels) or a tentative parcel map (4 or fewer parcels), regardless of whether the zoning is consistent with the General Plan. Both actions are discretionary, and subject to environmental review under CEQA.

In fact, the application submittal requirements and environmental analysis for a tentative map, are essentially the same as those for a zone change or general plan amendment – biological

resource studies, wetland investigations, traffic studies, archaeological reports, air quality analysis, acoustical reports, perc tests (for projects relying on septic systems) and water/sewer availability letters from the applicable districts, among others. The CEQA document must analyze environmental effects, by comparing the proposed project to existing conditions. In this sense, consistency rezoning has no effect on the ultimate environmental analysis, because the property “as zoned” does not become the baseline or “existing condition” used for the environmental review.

The state Subdivision Map Act allows the county to regulate the design and improvement of subdivisions, including the right to impose conditions of approval. General Plan Policy 2.2.5.7 similarly allows the county to condition a development project to pay for or construct needed infrastructure, or to deny the application where the infrastructure cannot be provided.

“Policy 2.2.5.7 Where a zoning district applied to given land is consistent with the General Plan land use designation, the County reserves the right to deny development plans providing for permitted uses where adequate findings for approval (including adequate public facilities and services) cannot be made.”

Conditions of approval imposed on new development must be satisfied at specified stages during construction. If the infrastructure cannot be feasibly provided because of physical, environmental or economic constraints, the County can deny a development proposal, even if the zoning is consistent with the General Plan land use designation.

Those who argue that inconsistent zoning should be retained or that new inconsistent zones should be applied through the ZOU consider Policy 2.2.5.6 as a “loophole” that relieves the county of the duty to comply with the consistency provisions of state law. State law does not support the notion that counties can exempt themselves from zoning consistency requirements simply by adopting such policies in their general plans. Moreover, advocates of inconsistent zoning ignore the inconvenient fact that the General Plan itself requires that the Zoning Ordinance be updated to “[p]rovide consistency between the General Plan land use designations and the Zoning Ordinance [Policy 2.2.1.2]”. The ZOU was to be completed within one year of General Plan adoption (GP Measure LU-A); it is now more than 10 years overdue.

The General Plan land use designations discussed above establish a rational planning scheme for the county. Policy 2.2.1.2 describes the various land uses ranging from natural resources and open space at the least intense through the most intense multi-family, commercial and industrial uses. In between, a series of single family residential uses are defined from highest to lowest intensity: High Density (HDR) from 5 to 1 lot per acre, Medium Density (MDR) lots ranging from 1 to 5 acres in size, Low Density (LDR) lots ranging from 5 to 10 acres, and RR with lots ranging from 10 to 160 acres. The plan designates residential land uses allowed in Community Regions and Rural Centers (HDR, MDR and LDR, but not RR), and those allowed in Rural Regions (LDR and RR, but not HDR or MDR). Agricultural Land (AL) and Natural Resource (NR) designations are reserved for Rural Regions; not allowed in Community Regions or Rural Centers.

At 5 to 10 acre lots, LDR is recognized as below the optimum density range for Community Regions. Language in Policy 2.2.1.2 indicates the “LDR designation shall remain in place until a specific project is proposed that applies the appropriate level of analysis and planning and yields the necessary expansion of infrastructure.” In contrast, LDR in Rural Regions is planned as a transition to the more rural and agricultural areas of the County, such that 5- to 10-acre parcels are appropriate.

Alternative planning scenarios for land now designated LDR were considered during the 2004 General Plan adoption process. A 2001 GP Alternative would have designated LDR as 5- to 20-acre parcels; the Roadway Constrained and Environmentally Constrained Alternatives would have applied different land uses to the LDR parcels, including Rural Residential and Natural Resources, which would have limited the potential future parcels that could be created. These alternatives were rejected as infeasible; the plain language of the 2004 General Plan and 2004 GP EIR explicitly provide that LDR is planned for 5 to 10 acre parcels, notwithstanding conflicting dots or diamonds in a General Plan table.

The General Plan includes criteria to identify land to be zoned for agricultural use. Policies 8.1.1.5 and 8.1.2.2, applicable to zoning of cropland and grazing land, respectively, set a threshold that excludes lands “designated for urban or nonagricultural uses on the Land Use Map”. The 2004 General Plan and the General Plan EIR make clear that land uses inside Community Regions are “urban” lands, and further that LDR is an “urban or nonagricultural land use”. The argument that agricultural zones should be applied to LDR land, including land rolled-out of Williamson Act contract, is inconsistent with the plain language of the General Plan.

LDR lands inside of Community Regions affected by the ZOU include the remaining portion of Dixon Ranch, the Scheiber Ranch portion of the San Stino project, and about 400 acres in several ownerships in El Dorado/Diamond Springs. These projects were the subject of Measure O, defeated in November, 2014 by 60% of voters. The properties are all former Williamson Act contract lands which retain their old AE (Exclusive Agriculture) zone, despite roll-out of contract years or decades ago. Opponents of these projects, not surprisingly, have organized behind the “retain existing zoning strategy” or other approaches which would convert the 5- to 10-acre parcel size for LDR to something ranging from 5- to 20-acres, or as one commenter suggested 5- to 60-acres.

If the Board of Supervisors, in adopting the 2004 General Plan, had intended these LDR lands in Community Regions to be zoned for 20 acre parcels or larger, they could have adopted one of the other General Plan alternatives, or could have designated these lands RR (10-160 acres) and excluded the area from the Community Region Boundary. The Board did neither, and the effort to redefine LDR after the fact is nothing more than an attempt to revise the General Plan, by those who oppose development projects.

Consistency zoning within LDR or any other land use, does not commit the county to a specific course of action on the development proposals. Those should be evaluated by the county in due course; as General Plan Amendments, these are fully discretionary and should stand or fall on their own merits. Efforts to interfere with the orderly implementation of the General Plan

by manipulating zoning to frustrate these projects or prevent General Plan implementation must not be allowed. To this end, there has been no objective information presented to justify differential treatment that would deprive a handful of properties and land owners of the right to have their zoning brought consistent with the land use designations, a right enjoyed by more than 90% of all land within the Community Regions.

Our analysis indicates that the *Available Residential Land* assuming full utilization of land in the four community regions, no significant constraints and densities equivalent to the densities of similar developed parcels, has the potential to produce the number of lots required to meet the objective to maintain 75% of residential growth within Community Regions with sewer. While the ZOU will achieve consistency between the General Plan and zoning, the minimum-density range approach is generally not sufficient to yield the number of new lots needed, and future site-specific rezoning will likely be necessary.

At bottom, the opposition to consistency rezoning is fundamentally opposition to the adopted General Plan. Zoning is necessary to implement the General Plan, and the consistency rezoning is a first step in that process. Maintaining inconsistent zoning provides no tangible benefit except to those who want to frustrate implementation of the General Plan. To paraphrase Roger Trout's 2011 staff report, the ZOU is needed so that property owners know what to expect on neighboring properties, applicants for development projects know the rules and standards applicable to their projects, and decision makers are able to consistently apply the code. The ZOU is long overdue, and should be moved forward by the Board.

F. Public Outreach

El Dorado County mounted an extraordinary public outreach effort for the TGPA/ZOU. Opportunities for public participation have been numerous and varied, including more than 100 meetings and public hearings since 2011; detailed workshops before the Board or the Planning Commission; a webpage devoted to TGPA/ZOU documents and other relevant information; and email notices to subscribers and print notices published in local newspapers.¹⁵ The County allowed extended comment periods for both the Draft EIR (DEIR) and Recirculated Draft EIR (RDEIR). More than 6,000 pages of public comments and support materials were submitted in response to the DEIR and RDEIR and are made a part of the public record.

V. THE TGPA/ZOU IMPLEMENTS AND ENHANCES THE GENERAL PLAN

In 2011, the Board of Supervisors concluded that the 2004 General Plan is generally working, but that targeted amendments should be considered to reach goals and objectives related to promotion and protection of agriculture, limiting retail sales and sales tax leakage, balance of new jobs to new housing, and increasing housing opportunities for moderate income households. The Board also acknowledged that the County is responsible to ensure consistency between its General Plan and Zoning Ordinance, and directed that the ZOU should be

¹⁵ See "Public Outreach" tab at http://www.edcgov.us/Government/LongRangePlanning/LandUse/TGPA-ZOU_Main.aspx

consistent with the General Plan pursuant to state law and General Plan policies. The Board consolidated the TGPA/ZOU with a series of previously initiated General Plan amendments, and directed that the entire package should be analyzed under a new programmatic EIR. At long last, we are nearing the end of that process.

Our mapping analysis was developed to generally quantify and identify land available in Community Regions to meet housing demand. This analysis supports the conclusion reached in 2011, that 75% of remaining housing demand can be accommodated in the Community Regions with sewer. However, the current supply of available and entitled lots is insufficient, such that about 4,000 new lots would need to be created and available to build prior to the General Plan horizon now forecast for 2035. The supply of available residential land in the Community Regions is adequate to accommodate the additional lots; the Board may want to consider utilizing criteria such as the “tiering” framework proposed above, to monitor progress, to prioritize land use decisions and to provide guidance to developers and the public as to the Board’s goals and expectations. In the end, the net effect of the General Plan is to substantially reduce the overall supply of residential lots available for development in the county (Figure 7).

The TGPA/ZOU includes many benefits for the residents of El Dorado County, including the following:

- Designate Historical District Overlays to protect the historic townships of Diamond Springs and El Dorado.
- Change the Camino/Pollock Pines Community Region to the Rural Centers of Camino, Pollock Pines and Cedar Grove.
- Expand the Agricultural Districts by more than 17,000 acres.
- Establish several commercial zones (i.e., Main Street Commercial, Regional Commercial) to direct appropriate commercial uses to appropriate areas. ***Plan rather than react.***
- Revise development standards to provide alternatives that the Board may consider in approving projects to achieve General Plan objectives in Community Regions.
- Allow detached housing units within 893 acres of available Multi-Family land to meet moderate housing objectives as an alternative to below-moderate affordable housing and apartments by right. Allow limited commercial in multi-family to serve these areas.
- Set standards applicable to Mixed Use Development within approximately 668 acres of Commercial available to meet the commercial/mixed use demand.
- Allow a range of agricultural support services and other economic uses of properties in rural areas as an alternative to rural subdivisions.
- Set standards for home occupations, which involve between 8 to 16% of the work force in El Dorado County.
- Promote and enhance agricultural operations through zoning ordinance provisions to permit various direct marketing opportunities, and simplified permit processing for uses in compliance with established standards.
- Implement the Zoning Ordinance Update which is nearly 10 years overdue. This update will ensure consistency between land use and zoning for roughly 5% of parcels that are

currently inconsistent, and will reduce the uncertainty and confusion of landowners and their neighbors concerning the intended use of property.

Alliance for Responsible Planning is dedicated to providing information about critical and timely issues facing the County. We do not take the role of research lightly; we invest the time to consult many experts to check and double-check our facts. Our goal here is to present important facts about the TGPA/ZOU, with a special focus on the Community Regions. Our next effort, which will be published prior the final hearings at the Board of Supervisors, will focus on the remaining critical link – the rural areas of the county, and the effect of the TGPA/ZOU on natural resources, recreation, agriculture, rural commerce, and rural lands.

We care deeply about the future of El Dorado County, our residents and our businesses. Accurate information is critical to a meaningful discussion of the issues, and ultimately forms the foundation for better decisions. We hope you find this information helpful.