

Chapter 4.5. Review and Approval of Development Projects

Article 1. General Provisions

65920. (a) This chapter shall be known and may be cited as the Permit Streamlining Act.

(b) Notwithstanding any other provision of law, the provisions of this chapter shall apply to all public agencies to the extent specified in this chapter, except that the time limits specified in Division 2 (commencing with Section 66410) of Title 7 shall not be extended by operation of this chapter.

(Amended by Stats. 1982, Ch. 87, Effective March 1, 1982; Amended by Stats. 1996, Ch. 799.)

65921. The Legislature finds and declares that there is a statewide need to ensure clear understanding of the specific requirements which must be met in connection with the approval of development projects and to expedite decisions on such projects. Consequently, the provisions of this chapter shall be applicable to all public agencies, including charter cities.

(Added by Stats. 1977, Ch. 1200.)

65922. The provisions of this chapter shall not apply to the following:

(a) Activities of the State Energy Resources Development and Conservation Commission established pursuant to Division 15 (commencing with Section 25000) of the Public Resources Code.

(b) Administrative appeals within a state or local agency or to a state or local agency

(Amended by Stats. 1982, Ch. 87, Effective March 1, 1982.)

65922.1. During a year declared by the State Water Resources Control Board or the Department of Water Resources to be a critically dry year, or during a drought emergency declared by the Governor pursuant to Chapter 7 (commencing with Section 8550) of Division 1 of Title 2, the time limits established by this chapter shall not apply to applications to appropriate water pursuant to Part 2 (commencing with Section 1200) of Division 2 of, to petitions for change pursuant to Chapter 10 (commencing with Section 1700) of Part 2 of Division 2 of, or to petitions for certification pursuant to Section 13160 of, the Water Code for projects involving the diversion or use of water.

(Added by Stats. 1991, Ch. 12 of extraordinary session. Effective October 9, 1991.)

65922.3. The Office of Permit Assistance is hereby created in the Office of Planning and Research. The office succeeds to, and is vested with, all of the duties, purposes, and responsibilities required to be performed by the Office of Planning and Research pursuant to former Article 6 (commencing with Section 65050) of Chapter 1.5 of Division 1 of Title 7 of the Government Code. The office shall develop guidelines to provide technical assistance to counties and cities in establishing and operating an expedited development permit process. The guidelines shall include, but not be limited to, all of the following elements of a local permit process:

(a) A central contact point with a public agency where all permit applications can be filed and information on all permit requirements can be obtained.

(b) A referral process to (1) refer the applicant to the appropriate functional area for resolution of problems and fulfillment of requirements, (2) refer the applicant to cities within the county in whose sphere of influence the proposed project lies for review, comment, or imposition of condition permits, (3) assign an individual from the local government to be responsible for guiding the application through all local permit bodies, or (4) include any combination of the above.

(c) A master permit document which covers permits for all functional areas and which could be used for obtaining the approvals of the various functional areas.

(d) A method of tracking progress on various permit applications, which may include identifying a staff person responsible for monitoring permits.

(e) A determination as to completeness of the master permit document upon its submission and a written statement of specific information that is missing, if any.

(f) Timetables for action on individual permits.

(g) An expedited appeal process to assure fair treatment to the applicant using existing agencies, staffs, commissions or boards, where possible.

(h) A variety of administrative mechanisms that will describe the least costly approaches for implementation in a variety of local circumstances.

In developing the guidelines, local variations in population rate of growth, types of proposed development projects, geography and differences in local government structure shall be recognized.

(Added by Stats. 1983, Ch. 1263.)

65922.5. The guidelines established by the Office of Permit Assistance pursuant to Section 65922.3 shall be advisory in nature and in no way shall they constitute a mandate upon cities and counties to take any of the actions contained therein.

(Added by Stats. 1983, Ch. 1263.)

65922.7. Subject to the availability of funds appropriated therefor, the Office of Permit Assistance shall provide technical assistance and grants-in-aid to assist counties and cities in establishing an expedited permit process pursuant to Section 65922.3. Any city or county receiving such a grant shall enact an expedited permit process within 10 months of the date of receipt. Nothing in this section or Section 65922.3 shall in any way preclude a county or city from establishing an expedited permit process pursuant to a procedure established solely by that county or city. If the office has adopted guidelines pursuant to Section 65922.3 and a county or city has established an expedited permit process pursuant to its own procedures, in all cases the process established by the city or county shall prevail over conflicting provisions of the guidelines.

(Added by Stats. 1983, Ch. 1263.)

65923. The Office of Permit Assistance shall provide information to developers explaining the permit approval process at the state and local level. The office shall ensure that all state agencies comply with applicable requirements of this chapter.

(Amended by Stats. 1983, Ch. 1263.)

65923.5. (a) The Office of Permit Assistance may call a conference of parties to resolve questions or mediate disputes arising from permit applications on any proposed development project.

(b) The office shall assist state and local agencies in an attempt to streamline the permit approval process at the state and local level.

(c) The office shall provide information to developers to assist them in meeting the requirements of the California Environmental Quality Act, Division 13 (commencing with Section 21000) of the Public Resources Code.

(Amended by Stats. 1983, Ch. 1263.)

65923.8. Any state agency which is the lead agency for a development project shall inform the applicant for a permit that the Office of Permit Assistance has been created in the Office of Planning and Research to assist, and provide information to, developers relating to the permit approval process.

(Added by Stats. 1983, Ch. 1263.)

65924. With respect to any development project an application for which has been accepted as complete prior to January 1, 1978, the deadlines specified in Sections 65950 and 65952 shall be measured from January 1, 1978. With respect to such application received prior to January 1, 1978, but not determined to be complete as of that date, a determination that the application is complete or incomplete shall be made not later than 60 days after the effective date of the act amending this section in 1978.

(Amended by Stats. 1978, Ch. 1113. Effective September 26, 1978.)

Article 2. Definitions

65925. Unless the context otherwise requires, the definitions in this article govern the construction of this chapter.

(Added by Stats. 1977, Ch. 1200.)

65926. "Air pollution control district" means any district created or continued in existence pursuant to the provisions of Part 3 (commencing with Section 40000) of Division 26 of the Health and Safety Code.

(Added by Stats. 1977, Ch. 1200.)

65927. "Development" means, on land, in or under water, the placement or erection of any solid material or structure; discharge or disposal of any dredged material or of any gaseous, liquid, solid, or thermal waste; grading, removing, dredging, mining, or extraction of any materials; change in the density or intensity of use of land, including, but not limited to, subdivision pursuant to the Subdivision Map Act (commencing with Section 66410 of the Government Code), and any other division of land except where the land division is brought about in connection with the purchase of such land by a public agency for public recreational use; change in the intensity of use of water, or of access thereto; construction, reconstruction, demolition, or alteration of the size of any structure, including any facility of any private, public, or municipal utility; and the removal or harvesting of major vegetation other than for agricultural purposes, kelp harvesting, and timber operations which are in accordance with a timber harvesting plan submitted pursuant to the provisions of the Z'berg-Nejedly Forest Practice Act of 1973 (commencing with Section 4511 of the Public Resources Code).

As used in this section, "structure" includes, but is not limited to, any building, road, pipe, flume, conduit, siphon, aqueduct, telephone line, and electrical power transmission and distribution line.

Nothing in this section shall be construed to subject the approval or disapproval of final subdivision maps to the provisions of this chapter.

"Development" does not mean a "change of organization", as defined in Section 56021, or a "reorganization", as defined in Section 56073.

(Amended by Stats. 1978, Ch. 1113. Effective September 26, 1978; Amended by Stats. 1986, Ch. 688; Amended by Stats. 1992, Ch. 1003.)

65928. "Development project" means any project undertaken for the purpose of development. "Development project" includes a project involving the issuance of a permit for construction or reconstruction but not a permit to operate. "Development project" does not include any ministerial projects proposed to be carried out or approved by public agencies.

(Amended by Stats. 1978, Ch. 1113. Effective September 26, 1978.)

65928.5. "Geothermal field development project" means a development project as defined in Section 65928 which is composed of geothermal wells, resource transportation lines, production equipment, roads, and other facilities which are necessary to supply geothermal energy to any particular heat utilization equipment for its productive life, all within an area delineated by the applicant.

(Added by Stats. 1978, Ch. 1271.)

65929. "Lead agency" means the public agency which has the principal responsibility for carrying out or approving a project.

(Added by Stats. 1977, Ch. 1200.)

65930. "Local agency" means any public agency other than a state agency. For purposes of this chapter, a redevelopment agency is a local agency and is not a state agency.

(Amended by Stats. 1978, Ch. 1113. Effective September 26, 1978.)

65931. "Project" means any activity involving the issuance to a person of a lease, permit, license, certificate, or other entitlement for use by one or more public agencies.

(Added by Stats. 1977, Ch. 1200.)

65932. "Public agency" means any state agency, any county, city and county, city, regional agency, public district, redevelopment agency, or other political subdivision.

(Added by Stats. 1977, Ch. 1200.)

65933. "Responsible agency" means a public agency, other than the lead agency, which has responsibility for carrying out or approving a project.

(Added by Stats. 1977, Ch. 1200.)

65934. "State agency" means any agency, board, or commission of state government. For all purposes of this chapter, the term "state agency" shall include an air pollution control district.

(Added by Stats. 1977, Ch. 1200.)

Article 3. Applications for Development Projects

65940. Each state agency and each local agency shall compile one or more lists which shall specify in detail the information that will be required from any applicant for a development project. The list or lists may include the consolidated project information form developed pursuant to Section 65946. Each local agency shall revise the list of information required from an applicant to include a certification of compliance with Section 65962.5, and the statement of application required by Section 65943. Copies of the information, including the statement of application required by Section 65943, shall be made available to all applicants for development projects and to any person who requests the information.

(Amended by Stats. 1982, Ch. 84; Amended by Stats. 1986, Ch. 1048 and Ch. 1019; Amended by Stats. 1987, Ch. 985; Amended by Stats. 1992, Ch. 1200.)

65940.5. (a) No list compiled pursuant to Section 65940 shall include a waiver of the time periods prescribed by this chapter within which a state or local agency shall act upon an application for a development project.

(b) No application shall be deemed incomplete for lack of a waiver of time periods prescribed by this chapter within which a state or local government agency shall act upon the application.

(c) Except for the waiver of the time limits pursuant to Sections 65950.1 and 65951, no public agency shall require a waiver of the time limits contained in this chapter as a condition of accepting or processing the application for a development project.

(Added by Stats. 1986, Ch. 396; Amended by Stats. 1993, Ch. 1068.)

65941. (a) The information compiled pursuant to Section 65940 shall also indicate the criteria which the agency will apply in order to determine the completeness of any application submitted to it for a development project.

(b) If a public agency is a lead or responsible agency for purposes of the California Environmental Quality Act, Division 13 (commencing with Section 21000) of the Public Resources Code, that criteria shall not require the applicant to submit the informational equivalent of an environmental impact report as part of a complete application, or to otherwise require proof of compliance with that act as a prerequisite to a permit application being deemed complete. However, that criteria may require sufficient

information to permit the agency to make the determination required by Section 21080.1 of the Public Resources Code.

(c) Consistent with this chapter, a responsible agency shall, at the request for the applicant, commence processing a permit application for a development project prior to final action on the project by a lead agency to the extent that the information necessary to commence the processing is available. For purposes of this subdivision, "lead agency" and "responsible agency" shall have the same meaning as those terms are defined in Section 21067 of the Public Resources Code and Section 21069 of the Public Resources Code, respectively.

(Amended by Stats. 1978, Ch. 1113. Effective September 26, 1978; Amended by Stats 1993, Ch. 1131.)

65941.5. Each public agency shall notify applicants for development permits of the time limits established for the review and approval of development permits pursuant to Article 3 (commencing with Section 65940) and Article 5 (commencing with Section 65950), of the requirements of subdivision (e) of Section 65962.5, and of the public notice distribution requirements under applicable provisions of law. The public agency shall also notify applicants regarding the provisions of Section 65961. The public agency may charge applicants a reasonable fee not to exceed the amount reasonably necessary to provide the service required by this section. If a fee is charged pursuant to this section, the fee shall be collected as part of the application fee charged for the development permit.

(Added by Stats. 1983, Ch. 1263; Amended by Stats. 1987, Ch. 985.)

65942. The information and the criteria specified in Sections 65940, 65941, 65941.5 shall be revised as needed so that they shall be current and accurate at all times. Any revisions shall apply prospectively only and shall not be a basis for determining that an application is not complete pursuant to Section 65943 if the application was received before the revision is effective except for revisions for the following reasons resulting from the conditions which were not known and could not have been known by the public agency at the time the application was received:

(a) To provide sufficient information to permit the public agency to make the determination required by Section 21000.1 of the Public Resources Code, as provided by Section 65941.

(b) To comply with the enactment of new or revised federal, state, or local requirements, except for new or revised requirements of a local agency which is also the lead agency.

(Amended by Stats. 1983, Ch. 1263; Amended by Stats. 1987, Ch. 802 and Ch. 803.)

65943. (a) Not later than 30 calendar days after any public agency has received an application for a development project, the agency shall determine in writing whether the

application is complete and shall immediately transmit the determination to the applicant for the development project. If the written determination is not made within 30 days after receipt of the application, and the application includes a statement that it is an application for a development permit, the application shall be deemed complete for purposes of this chapter. Upon receipt of any resubmittal of the application, a new 30-day period shall begin, during which the public agency shall determine the completeness of the application. If the application is determined not to be complete, the agency's determination shall specify those parts of the application which are incomplete and shall indicate the manner in which they can be made complete, including a list and thorough description of the specific information needed to complete the application. The applicant shall submit materials to the public agency in response to the list and description.

(b) Not later than 30 calendar days after receipt of the submitted materials, the public agency shall determine in writing whether they are complete and shall immediately transmit that determination to the applicant. If the written determination is not made within that 30-day period, the application together with the submitted materials shall be deemed complete for purposes of this chapter.

(c) If the application together with the submitted materials are determined not to be complete pursuant to subdivision (b), the public agency shall provide a process for the applicant to appeal that decision in writing to the governing body of the agency or, if there is no governing body, to the director of the agency, as provided by that agency. A city or county shall provide that the right of appeal is to the governing body or, at their option, the planning commission, or both.

There shall be a final written determination by the agency on the appeal not later than 60 calendar days after receipt of the applicant's written appeal. The fact that an appeal is permitted to both the planning commission and to the governing body does not extend the 60-day period. Notwithstanding a decision pursuant to subdivision (b) that the application and submitted materials are not complete, if the final written determination on the appeal is not made within that 60-day period, the application with the submitted materials shall be deemed complete for the purposes of this chapter.

(d) Nothing in this section precludes an applicant and a public agency from mutually agreeing to an extension of any time limit provided by this section.

(e) A public agency may charge applicants a fee not to exceed the amount reasonably necessary to provide the service required by this section. If a fee is charged pursuant to this section, the fee shall be collected as part of the application fee charged for the development permit.

(Amended by Stats. 1979, Ch. 1207, Effective October 2, 1979; Amended by Stats. 1984, Ch. 1723, Operative July 1, 1985; Amended by Stats. 1987, Ch. 1985; Amended by Stats. 1989, Ch. 612.)

65943.5. (a) Notwithstanding any other provision of this chapter, any appeal pursuant to subdivision (c) of Section 65943 involving a permit application to a board, office, or department within the California Environmental Protection Agency shall be made to the Secretary for Environmental Protection.

(b) Notwithstanding any other provision of this chapter, any appeal pursuant to subdivision (c) of Section 65943 involving an application for the issuance of an environmental permit from an environmental agency shall be made to the Secretary for Environmental Protection under either of the following circumstances:

(1) The environmental agency has not adopted an appeals process pursuant to subdivision (c) of Section 65943.

(2) The environmental agency declines to accept an appeal for a decision pursuant to subdivision (c) of Section 65943.

(c) For purposes of subdivision (b), "environmental permit" has the same meaning as defined in Section 71012 of the Public Resources Code, and "environmental agency" has the same meaning as defined in Section 71011 of the Public Resources Code, except that "environmental agency" does not include the agencies described in subdivisions (c) and (h) of Section 71011 of the Public Resources Code.

(Added by Stats. 1993, Ch. 419.)

65944. (a) After a public agency accepts an application as complete, the agency shall not subsequently request of an applicant any new or additional information which was not specified in the list prepared pursuant to Section 65940. The agency may, in the course of processing the application, request the applicant to clarify, amplify, correct, or otherwise supplement the information required for the application.

(b) The provisions of subdivision (a) shall not be construed as requiring an applicant to submit with his or her initial application the entirety of the information which a public agency may require in order to take final action on the application. Prior to accepting an application, each public agency shall inform the applicant of any information included in the list prepared pursuant to Section 65940 which will subsequently be required from the applicant in order to complete final action on the application.

(c) This section shall not be construed as limiting the ability of a public agency to request and obtain information which may be needed in order to comply with the provisions of Division 13 (commencing with Section 21000) of the Public Resources Code.

(Amended by Stats. 1982, Ch. 84.)

65945. (a) At the time of filing an application for a development permit with a city or county, the city or county shall inform the applicant that he or she may make a written

request to receive notice from the city or county of a proposal to adopt or amend any of the following plans or ordinances:

- (1) A general plan.
- (2) A specific plan.
- (3) A zoning ordinance.
- (4) An ordinance affecting building permits or grading permits.

The applicant shall specify, in the written request, the types of proposed action for which notice is requested. Prior to taking any of those actions, the city or county shall give notice to any applicant who has requested notice of the type of action proposed and whose development project is pending before the city or county if the city or county determines that the proposal is reasonably related to the applicant's request for the development permit. Notice shall be given only for those types of actions which the applicant specifies in the request for notification.

The city or county may charge the applicant for a development permit, to whom notice is provided pursuant to this subdivision, a reasonable fee not to exceed the actual cost of providing that notice. If a fee is charged pursuant to this subdivision, the fee shall be collected as part of the application fee charged for the development permit.

(b) As an alternative to the notification procedure prescribed by subdivision (a), a city or county may inform the applicant at the time of filing an application for a development permit that he or she may subscribe to a periodically updated notice or set of notices from the city or county which lists pending proposals to adopt or amend any of the plans or ordinances specified in subdivision (a), together with the status of the proposal and the date of any hearings thereon which have been set.

Only those proposals which are general, as opposed to parcel-specific in nature, and which the city or county determines are reasonably related to requests for development permits, need be listed in the notice. No proposals shall be required to be listed until such time as the first public hearing thereon has been set. The notice shall be updated and mailed at least once every six weeks; except that a notice need not be updated and mailed until a change in its contents is required.

The city or county may charge the applicant for a development permit, to whom notice is provided pursuant to this subdivision, a reasonable fee not to exceed the actual cost of providing that notice, including the costs of updating the notice, for the length of time the applicant requests to be sent the notice or notices.

(Added by Stats. 1983, Ch. 1263.)

65945.3. At the time of filing an application for a development permit with a local agency, other than a city or county, the local agency shall inform the applicant that he or she may make a written request to receive notice of any proposal to adopt or amend a rule or regulation affecting the issuance of development permits.

Prior to adopting or amending any such rule or regulation, the local agency shall give notice to any applicant who has requested such notice and whose development project is pending before the agency if the local agency determines that the proposal is reasonably related to the applicant's request for the development permit.

The local agency may charge the applicant for a development permit, to whom notice is provided pursuant to this section, a reasonable fee not to exceed the actual cost of providing that notice. If a fee is charged pursuant to this section, the fee shall be collected as part of the application fee charged for the development permit.

(Added by Stats. 1983, Ch. 1263.)

65945.5. At the time of filing an application for a development permit with a state agency, the state agency shall inform the applicant that he or she may make a written request to receive notice of any proposal to adopt or amend a regulation affecting the issuance of development permits and which implements a statutory provision.

Prior to adopting or amending any such regulation, the state agency shall give notice to any applicant who has requested such notice and whose development project is pending before the state agency if the state agency determines that the proposal is reasonably related to the applicant's request for the development permit.

(Added by Stats. 1983, Ch. 1263.)

65945.7. No action, inaction, or recommendation regarding any ordinance, rule, or 65945.3, or 65945.5 by any legislative body, administrative body, or the officials of any state or local agency shall be held void or invalid or be set aside by any court on the ground of any error, irregularity, informality, neglect or omission (hereinafter called "error") as to any matter pertaining to notices, records, determinations, publications or any matters of procedure whatever, unless after an examination of the entire case, including evidence, the court shall be of the opinion that the error complained of was prejudicial, and that by reason of such error the party complaining or appealing sustained and suffered substantial injury, and that a different result would have been probable if such error had not occurred or existed. There shall be no presumption that error is prejudicial or that injury was done if error is shown.

(Added by Stats. 1983, Ch. 1263.)

65946. (a) The Office of Planning and Research, in consultation with the Resources Agency, and the Environmental Protection Agency, shall develop a consolidated project information form which may be used by applicants for development projects. This form

shall provide for sufficient information to allow state agencies to determine whether or not the project will be subject to the requirement for a permit from the agency.

(b) Applicants for development projects may submit the form provided by subdivision (a) to the Office of Planning and Research for distribution to state agencies which have permit responsibilities for development projects. The Office of Planning and Research shall send copies of the form to such agencies within three days of receipt.

(c) Within 30 days of receipt of the form, each agency shall notify the Office of Planning and Research in writing whether or not a permit from that agency may be required and it shall send the Office of Planning and Research the appropriate permit application forms.

(d) Within 15 days of receipt of the completed form from such agencies, the Office of Planning and Research shall notify the applicant for a development project in writing of any permits required for the project specified, and it shall send the applicant the appropriate permit application forms received from the state agencies.

(e) The Office of Planning and Research, in consultation with the Resources Agency, and the Environmental Protection Agency, shall develop a consolidated project application form which may be used by applicants for development projects. The application form shall contain sufficient information to allow state agencies, departments, commissions, boards, and other administrative divisions within the agencies, to act on a permit for the project.

(f) Each state agency may develop an agency consolidated project application form which may be used by applicants for development projects. The application form shall contain sufficient information to allow the agency and any department, commission, board, and other administrative division within that agency to act on a permit.

(g) The Office of Planning and Research may charge an applicant for a development project a fee not to exceed the estimated reasonable cost of providing the services performed pursuant to this section. Before levying or changing a fee, the Office of Planning and Research shall adopt or amend regulations pursuant to the Administrative Procedures Act, Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2. The Office of Planning and Research shall make available to the public upon request data indicating the amount of cost, or estimated cost, required to provide the service and the revenue sources anticipated to provide the service, including general or special fund revenues.

(Added by Stats. 1983, Ch. 827; Amended by Stats. 1992, Ch. 1200.)

Article 5. Approval of Development Permits

65950. (a) Any public agency that is the lead agency for a development project *** shall approve or disapprove the project within **whichever of the following periods is applicable:**

(1) * One hundred eighty days** from the date of certification by the lead agency of the environmental impact report *** **if a *** an environmental impact report is prepared pursuant to Section 21100 or 21151** of the Public Resources Code *** **for the development project.**

(2) Sixty days *** from the date of **adoption by the lead agency of *** the negative declaration *** if a negative declaration is completed and adopted for the development project.**

(3) Sixty days from the determination by the lead agency that the project is exempt from the **California Environmental Quality Act ***** (Division 13 (commencing with Section 21000) of the Public Resources Code)*** **if the project is exempt from the California Environmental Quality Act.**

(b) Nothing in this section precludes a project applicant and a public agency from mutually agreeing to an extension of any time limit provided by this section.

(c) For purposes of this section, "lead agency" and "negative declaration" shall have the same meaning as those terms are defined in Sections 21067 and 21064 of the Public Resources Code, respectively.

(Amended by Stats. 1983, Operative January 1, 1990; Amended by Stats. 1989, Ch. 847; Amended by Stats. 1993, Ch. 1068; Amended by Stats. 1996, Ch. 808.)

65950.1. Notwithstanding Section 65950, if there has been an extension of time pursuant to Section 21100.2 or 21151.5 of the Public Resources Code to complete and certify the environmental impact report, the lead agency shall approve or disapprove the project within 90 days after certification of the environmental impact report.

(Added by Stats. 1983, Ch. 1240.)

65951. In the event that a combined environmental impact report-environmental impact statement is being prepared on a development project pursuant to Section 21083.6 of the Public Resources Code, a lead agency may waive the time limits established in Section 65950. In any event, such lead agency shall approve or disapprove such project within 60 days after the combined environmental impact report-environmental impact statement has been completed and adopted.

(Added by Stats. 1977, Ch. 1200.)

65952. (a) Any public agency which is a responsible agency for a development project that has been approved by the lead agency shall approve or disapprove the development project within whichever of the following periods of time is longer:

(1) Within 180 days from the date on which the lead agency has approved the project.

(2) Within 180 days of the date on which the completed application for the development project has been received and accepted as complete by that responsible agency.

(b) At the time a decision by a lead agency to disapprove a development project becomes final, applications for that project which are filed with responsible agencies shall be deemed withdrawn.

(Added by Stats. 1977, Ch. 1200; Amended by Stats. 1988, Ch. 1187.)

65952.1. (a) Except as otherwise provided in subdivision (b), where a development project consists of a subdivision pursuant to the Subdivision Map Act (Division 2 (commencing with Section 66410) of Title 7), the time limits established by Sections 65950 and 65952 shall apply to the approval or disapproval of the tentative map, or the parcel map for which a tentative map is not required.

(b) The time limits specified in Sections 66452.1, 66452.2, and 66463 for tentative maps and parcel maps for which a tentative map is not required, shall continue to apply and are not extended by the time limits specified in subdivision (a).

(Added by Stats. 1982, Ch. 87. Effective March 1, 1982; Amended by Stats. 1989, Ch. 847.)

65952.2. No public agency shall disapprove an application for a development project in order to comply with the time limits specified in this chapter. Any disapproval of an application for a development project shall specify reasons for disapproval other than the failure to timely act in accordance with the time limits specified in this chapter.

(Added by Stats. 1993, Ch. 1068.)

65953. All time limits specified in this article are maximum time limits for approving or disapproving development projects. All public agencies shall, if possible, approve or disapprove development projects in shorter periods of time.

(Added by Stats. 1977, Ch. 1200.)

65954. The time limits established by this article shall not apply in the event that federal statutes or regulations require time schedules which exceed such time limits.

(Added by Stats. 1977, Ch. 1200.)

65955. The time limits established by this article shall not apply to applications to appropriate water where such applications have been protested pursuant to Chapter 4 (commencing with Section 1330) of Part 2 of Division 2 of the Water Code, or to petitions for changes pursuant to Chapter 10 (commencing with Section 1700) of Part 2 of Division 2 of the Water Code.

(Amended by Stats. 1978, Ch. 1113. Effective September 26, 1978.)

65956. (a) If any provision of law requires the lead agency or responsible agency to provide public notice of the development project or to hold a public hearing, or both, on the development project and the agency has not provided the public notice or held the hearing, or both, at least 60 days prior to the expiration of the time limits established by Sections 65950 and 65952, the applicant or his or her representative may file an action pursuant to Section 1085 of the Code of Civil Procedure to compel the agency to provide the public notice or hold the hearing, or both, and the court shall give the proceedings preference over all other civil actions or proceedings, except older matters of the same character.

(b) In the event that a lead agency or a responsible agency fails to act to approve or to disapprove a development project within the time limits required by this article, the failure to act shall be deemed approval of the permit application for the development project. However, the permit shall be deemed approved only if the public notice required by law has occurred. If the applicant has provided seven days advance notice to the permitting agency of the intent to provide public notice, then no earlier than 60 days from the expiration of the time limits established by Sections 65950 and 65952, an applicant may provide the required public notice using the distribution information provided pursuant to Section 65941.5. If the applicant chooses to provide public notice, that notice shall include a description of the proposed development substantially similar to the descriptions which are commonly used in public notices by the permitting agency, the location of the proposed development, the permit application number, the name and address of the permitting agency, and a statement that the project shall be deemed approved if the permitting agency has not acted within 60 days. If the applicant has provided the public notice required by this section, the time limit for action by the permitting agency shall be extended to 60 days after the public notice is provided. If the applicant provides notice pursuant to this section, the permitting agency shall refund to the applicant any fees which were collected for providing notice and which were not used for that purpose.

(c) Failure of an applicant to submit complete or adequate information pursuant to Sections 65943 to 65946, inclusive, may constitute grounds for disapproving a development project.

(d) Nothing in this section shall diminish the permitting agency's legal responsibility to provide, where applicable, public notice and hearing before acting on a permit application.

(Amended by Stats. 1982, Ch. 460; Stats. 1987, Ch. 985.)

65956.5. (a) Prior to an applicant providing advance notice to an environmental agency of the intent to provide public notice pursuant to subdivision (b) of Section 65956 for action on an environmental permit, the applicant may submit an appeal in writing to the governing body of the environmental agency, or if there is no governing body, to the

director of the environmental agency, as provided by the environmental agency, for a determination regarding the failure by the environmental agency to take timely action on the issuance or denial of the environmental permit in accordance with the time limits specified in this chapter.

(b) There shall be a final written determination by the environmental agency on the appeal not later than 60 calendar days after receipt of the applicant's written appeal. The final written determination by the environmental agency shall specify both of the following:

(1) The reason or reasons for failing to act pursuant to the time limits in this chapter.

(2) A date by which the environmental agency shall act on the permit application.

(c) Notwithstanding any other provisions of this chapter, any appeal submitted pursuant to subdivision (a) involving an environmental permit from an environmental agency shall be made to the Secretary for Environmental Protection if the environmental agency declines to accept the appeal for a decision pursuant to subdivision (a) or the environmental agency does not make a final written determination pursuant to subdivision (b).

(d) Any appeal submitted pursuant to subdivision (a) involving an environmental permit to a board, office, or department within the California Environmental Protection Agency shall be made to the Secretary for Environmental Protection.

(e) For purposes of this section, "environmental permit" has the same meaning as defined in Section 71012 of the Public Resources Code, and "environmental agency" has the same meaning as defined in Section 71011 of the Public Resources Code, except that "environmental agency" does not include the agencies described in subdivisions (c) and (h) of Section 71011 of the Public Resources Code.

(Added by Stats. 1993, Ch. 419.)

65957. The time limits established by Sections 65950, 65950.1, and 65952 may be extended once for a period not to exceed 90 days upon consent of the public agency and the applicant.

(Amended by Stats. 1983, Ch. 1240.)

65957.1. In the event that a development project requires more than one approval by a public agency, such agency may establish time limits (1) for submitting the information required in connection with each separate request for approval and (2) for acting upon each such request; provided, however, that the time period for acting on all such requests shall not, in aggregate, exceed those limits specified in Sections 65950 and 65952.

(Added by Stats. 1978, Ch. 1113.)

65957.5. (a) Whenever the director of a Department of Transportation highway district recommends to a public agency considering an application to subdivide real property or to issue a construction permit that the agency impose certain conditions on its approval of the application, the applicant may appeal the district director's recommendation.

(b) The Department of Transportation shall adopt regulations prescribing procedures for effecting an appeal pursuant to subdivision

(a). The appeal shall be made in writing to the Director of Transportation. The director's decision on the appeal shall be rendered within 60 calendar days after receipt of the appeal, and the director's written determination shall be transmitted to the appellant and to the agency to whom the appealed recommendation was made. The adopted regulations shall require the appellant to pay to the department a fee of not more than 50 percent of the estimated administrative cost to the department of conducting the appeal.

(c) The appeal process, including the director's written determination, shall be completed at least 60 days prior to completion of the period of public review for a draft environmental impact report or a negative declaration prescribed by Section 21091 of the Public Resources Code.

(Added by Stats. 1993, Ch. 796.)

Article 5.5 (commencing with Section 65958 repealed by Stats. 1993, Ch. 1195.)

Article 5.6. Environmental Permits

65959. The Legislature hereby finds and declares that the California Environmental Protection Agency was established to enhance the state's protection of the environment by, among other things, more effectively coordinating the permit actions of the departments or boards within the agency which issue environmental permits and by ensuring timely responses to applicants for permits in order to reduce costs associated with compliance with the state's environmental protection statutes and programs. It is the intent of this article to provide a mechanism by which the California Environmental Protection Agency may further this objective of environmental protection by bringing relevant agencies together to foster the integration of requests for information, promote speedy and cost-effective compliance, and synchronize, to the maximum extent feasible, the environmental permit requirements imposed on applicants by the departments or boards within the agency.

(Added by Stats. 1992, Ch. 952.)

65959.1. For purposes of this article, "environmental permit" means any permit issued by the Department of Toxic Substances Control for the storage, treatment, handling, or disposal of hazardous waste, as defined in Section 25117 of the Health and Safety Code, or any waste discharge requirements issued by the State Water Resources Control Board or a California regional water quality control board.

(Added by Stats. 1992, Ch. 952.)

65959.2. (a) At the request of an applicant for more than one environmental permit, the Secretary for Environmental Protection may, using existing staff and budgetary resources, convene a permitting team for the project composed of permit writers and other appropriate personnel from the board or department responsible for review of the project and the issuance of an environmental permit. The permitting team shall identify all statutory and regulatory requirements for the issuance of the environmental permits and provide that information to the applicant in order to facilitate, to the maximum extent feasible, the uniform, consistent, and expeditious processing of environmental permit applications.

(b) At the request of the applicant, the Secretary for Environmental Protection may solicit the participation of relevant federal, state, and local agencies on the permitting team to facilitate cooperation, reduce duplication, and assist in conflict resolution.

(Added by Stats. 1992, Ch. 952.)

65959.3. This article does not confer any new or additional authority over the issuance of environmental permits on the California Environmental Protection Agency or diminish in any way the existing authority of any other state or local agency.

(Added by Stats. 1992, Ch. 952.)

Article 6. Development Permits for Classes of Projects

65960. Notwithstanding any other provision of law, if any person applies for approval of a geothermal field development project, then only one permit from the lead agency and one permit from each responsible agency shall be required for all drilling, construction, operation, and maintenance activities required during the course of the productive life of the project, including, but not limited to, the drilling of makeup wells, redrills, well cleanouts, pipeline hookups, or any other activity necessary to the continued supply of geothermal steam to a powerplant. The lead agency and each responsible agency may approve such permits for less than full field development if the applicant submits such an application. Such permits shall include (1) any conditions or stipulations deemed necessary by the lead or responsible agency, including appropriate mitigation measures within the statutory jurisdiction of such agency, and (2) a monitoring program capable of assuring the permittee's conformance with all such conditions or stipulations. This section shall not apply to any permit whose issuance is a ministerial act by the permitting agency.

(Added by Stats. 1978, Ch. 1271.)

65961. Notwithstanding any other provision of law, upon approval or conditional approval of a tentative map for a subdivision of single- or multiple-family residential units, or upon recordation of a parcel map for such a subdivision for which no tentative map was required, during the five year period following recordation of the final map or

parcel map for the subdivision, a city, county, or city and county shall not require as a condition to the issuance of any building permit or equivalent permit for such single- or multiple-family residential units, conformance with or the performance of any conditions that the city or county could have lawfully imposed as a condition to the previously approved tentative or parcel map. Nor shall a city, county, or city and county withhold or refuse to issue a building permit or equivalent permit for failure to conform with or perform any conditions that the city, county, or city and county could have lawfully imposed as a condition to the previously approved tentative or parcel map. However, the provisions of this section shall not prohibit a city, county, or city and county from doing any of the following:

(a) Imposing conditions or requirements upon the issuance of a building permit or equivalent permit which could have been lawfully imposed as a condition to the approval of a tentative or parcel map if the local agency finds it necessary to impose the condition or requirement for any of the following reasons:

(1) A failure to do so would place the residents of the subdivision or of the immediate community, or both, in a condition perilous to their health or safety, or both.

(2) The condition is required in order to comply with state or federal law.

(b) Withholding or refusing to issue a building permit or equivalent permit if the local agency finds it is required to do so in order to comply with state or federal law.

(c) Assuring compliance with the applicable zoning ordinance.

(d) This section shall also apply to a city or city and county which incorporates on or after January 1, 1985, and which includes within its boundaries any areas included in the tentative or parcel map described in this section.

When the incorporation includes areas included in the tentative or parcel map described in this section, "a condition that the city could have lawfully imposed as a condition to the previously approved tentative or parcel map," as used in this section, refers to conditions the county could have imposed had there been no incorporation.

(Added by Stats. 1982, Ch. 1449; Amended by Stats. 1984, Ch. 504; Amended by Stats. 1987, Ch. 193.)

Note: Stats. 1982, Ch. 1449, also reads:

SEC. 4. With the exception of those provisions of this act which may be declarative of existing law, the provisions of this act shall operate only prospectively and shall not apply to tentative maps or parcel maps for which no tentative map was required, which were approved, conditionally approved, or disapproved prior to July 1, 1983.

65962. *(Repealed by Stats. 1990, Ch. 1572.)*

65962.5. (a) The Department of Toxic Substances Control shall compile and update as appropriate, but at least annually, and shall submit to the Secretary for Environmental Protection, a list of all of the following:

(1) All hazardous waste facilities subject to corrective action pursuant to Section 25187.5 of the Health and Safety Code.

(2) All land designated as hazardous waste property or border zone property pursuant to Article 11 (commencing with Section 25220) of Chapter 6.5 of Division 20 of the Health and Safety Code.

(3) All information received by the Department of Toxic Substances Control pursuant to Section 25242 of the Health and Safety Code on hazardous waste disposals on public land.

(4) All sites listed pursuant to Section 25356 of the Health and Safety Code.

(5) All sites included in the Abandoned Site Assessment Program.

(b) The State Department of Health Services shall compile and update as appropriate, but at least annually, and shall submit to the Secretary for Environmental Protection, a list of all public drinking water wells which contain detectable levels of organic contaminants and *** **that** are subject to water analysis pursuant to Section *** **116395** of the Health and Safety Code.

(c) The State Water Resources Control Board shall compile and update as appropriate, but at least annually, and shall submit to the Secretary for Environmental Protection, a list of all of the following:

(1) All underground storage tanks for which an unauthorized release report is filed pursuant to Section 25295 of the Health and Safety Code.

(2) All solid waste disposal facilities from which there is a migration of hazardous waste and for which a California regional water quality control board has notified the Department of Toxic Substances Control pursuant to subdivision (e) of Section 13273 of the Water Code.

(3) All cease and desist orders issued after January 1, 1986, pursuant to Section 13301 of the Water Code, and all cleanup or abatement orders issued after January 1, 1986, pursuant to Section 13304 of the Water Code, which concern the discharge of wastes *** **that** are hazardous materials.

(d) The local enforcement agency, as designated pursuant to Section 18051 of Title 14 of the California Code of Regulations, shall compile as appropriate, but at least annually, and shall submit to the California Integrated Waste Management Board, a list of all solid waste disposal facilities from which there is a known migration of hazardous waste. The

California Integrated Waste Management Board shall compile the local lists into a statewide list which shall be submitted to the Secretary for Environmental Protection and shall be available to any person who requests the information.

(e) The Secretary for Environmental Protection shall consolidate the information submitted pursuant to this section and distribute it in a timely fashion to each city and county in which sites on the lists are located. The secretary shall distribute the information to any other person upon request. The secretary may charge a reasonable fee to persons requesting the information, other than cities, counties, or cities and counties, to cover the cost of developing, maintaining, and reproducing and distributing the information.

(f) Before a lead agency accepts as complete an application for any development project which will be used by any person, the applicant shall consult the lists sent to the appropriate city or county and shall submit a signed statement to the local agency indicating whether the project and any alternatives are located on a site *** **that** is included on any of the lists compiled pursuant to this section and shall specify any list. If the site is included on a list, and the list is not specified on the statement, the lead agency shall notify the applicant pursuant to Section 65943. The statement shall read as follows:

HAZARDOUS WASTE AND SUBSTANCES STATEMENT

The development project and any alternatives proposed in this application are contained on the lists compiled pursuant to Section 65962.5 of the Government Code. Accordingly, the project applicant is required to submit a signed statement *** **that** contains the following information:

Name of applicant:

Address:

Phone number:

Address of site (street name and number if available, and ZIP Code):

Local agency (city/county):

Assessor's book, page, and parcel number:

Specify any list pursuant to Section 65962.5 of the Government Code:

Regulatory identification number:

Date of list:

Applicant, date

(g) The changes made to this section by the act amending this section, *** **that** takes effect January 1, 1992, apply only to projects for which applications have not been deemed complete on or before January 1, 1992, pursuant to Section 65943.

(Added by Stats. 1986, Ch. 1048; Amended by Stats. 1990, Ch. 537; Amended by Stats. 1991, Ch. 1212; Amended by Stats. 1996, Ch. 1023. Effective September 29, 1996.)

65963.1 Except as otherwise provided in Article 8.7 (commencing with Section 25199) of Chapter 6.5 of Division 20 of the Health and Safety Code, this chapter applies to the making of a land use decision or the issuance of a permit for a hazardous waste facility project by a public agency, as defined in Section 25199.1 of the Health and Safety Code, including, but not limited to, all of the following actions:

(a) The approval of land use permits and conditional use permits, the granting of variances, the subdivision of property, and the modification of existing property lines pursuant to this division or Division 2 (commencing with Section 66410) of Title 7, and, for purposes of this chapter, "project" includes an activity requiring any of those actions.

(b) The issuance of hazardous waste facility permits by the State Department of Health Services pursuant to Chapter 6.5 (commencing with Section 25100) of Division 20 of the Health and Safety Code.

(c) The issuance of waste discharge requirements by California regional water quality control boards pursuant to Article 4 (commencing with Section 13260) of Chapter 4 of Division 7 of the Water Code.

(d) The issuance of authority to construct permits by the district board of an air pollution control district or an air quality management district pursuant to Division 26 (commencing with Section 39000) of the Health and Safety Code.

(e) The issuance of solid waste facilities permits by the enforcement agency pursuant to Article 2 (commencing with Section 66796.30) of Chapter 3 of Title 7.3.

(Added by Stats. 1986, Ch. 1504.)



EL DORADO COUNTY GENERAL PLAN ECONOMIC DEVELOPMENT ELEMENT

PRINCIPLES

The General Plan provides opportunities for positive economic growth such as a full range of local employment opportunities, a more diversified local economy, greater capture of tourism, and increased retail sales.

The General Plan provides an opportunity to strategically plan for El Dorado County's role in a growing regional economy.

The General Plan provides land use guidelines which create opportunity to further economic self-sufficiency and foster a sound economic base to afford quality service levels while maintaining economic competitiveness and encourage retention of El Dorado County's quality of life.

The General Plan provides land use guidelines that will permit and encourage economic activities that create employment opportunities that are commensurate with local housing costs, generate a positive sustained revenue flow into the County, maximize economic multiplier effects, and minimize reliance upon County services and expenditures.

The General Plan recognizes, promotes, facilitates, and supports activities that provide a positive sustaining economic base for the County, maximize the economic potential of the County's natural resources, reduce out-of-County retail purchase and employment travel, and provide housing and job opportunities that are accessible to all levels of our society.

INTRODUCTION

Local planning, through the inclusion of an Economic Development Element in the General Plan or preparation of an Economic Strategic Plan, can be used to strengthen community development activities, enhance economic growth, and reinforce the planning process as a positive part of economic development. An improved local business climate which recognizes sub-regional constraints and opportunities, expansion of the local tax base, and

enhanced employment opportunities are benefits of a planning effort that has an emphasis on economic development. An Economic Development Element can be directed at a wide range of economic issues. Reinforcement of the planning process through the adoption of an Economic Development Element or strategic plan can be an effective method of managing growth in order to achieve a broad range of community goals and objectives. Should the Economic Development Providers Network cease to exist, another cooperative private/public sector group may be formed as sanctioned by the Board of Supervisors to fill the role that this element contemplates for the Network.

STATE AUTHORIZATION

An economic development element is not a required element under State law. However, California Planning law states that “the general plan may include any element(s) or address any . . . subject(s) which . . . relate to the physical development of the county (Government Code Section 65303).” The general plan guidelines, prepared by the Office of Planning and Research, state that “upon adoption, an optional element becomes an integral part of the general plan. It has the same force and effect as the mandatory elements and must be consistent with the other elements of the plan.”

RELATIONSHIP TO OTHER ELEMENTS

The Economic Development Element is directly related to all other elements contained within the General Plan.

POLICY SECTION

Note that the action programs proposed in the following section are included as implementation measures in the Implementation Program added to this element as part of the *Response to Comments* document. The Implementation Program includes timeframes associated with and assigns responsibility for completing each implementation measure.

GOAL 10.1: COOPERATION

The County shall work with all levels of government and with the various economic development organizations including the business community to cooperatively identify and promote the County’s positive opportunities and strength.

OBJECTIVE 10.1.1: COOPERATIVE APPROACH

Utilize the Economic Development Providers Network or other Board of Supervisors recognized economic development organizations to advise and recommend to the Board of Supervisors policies and a course of action that will facilitate the County’s economic vitality.

Policy 10.1.1.1 Annually review the success of the Economic Development Element, establish the program for the coming year, and take action to ensure continued productive activities.

Program 10.1.1.1.1:

Economic Development Providers Network Annual Report: Prepare an action plan to implement the objectives of the Economic Development Element. Prepare an annual report on the status of accomplishment toward the objectives for the past year and the plan for the upcoming year.

Program 10.1.1.1.2:

The County shall be a representative and actively participate in the Economic Development Providers Network.

Policy 10.1.1.2 Implement a business education and information program to promote communication and problem solving between business and government.

Program 10.1.1.2.1:

Sponsor via the Economic Development Providers Network seminars and workshops for El Dorado County's businesses, targeted industry organizations and government decision makers.

Program 10.1.1.2.2:

Establish and maintain liaison with local and regional business organizations to improve coordination of efforts relating to business issues.

Program 10.1.1.2.3:

Convene periodic broadly based community forums to discuss El Dorado's economic issues and concerns in conjunction with business, educational, agricultural, environmental, and other interested organizations.

Program 10.1.1.2.4:

Continually provide feedback from problem solving activities to the County for immediate action and/or inclusion in the next Annual Economic Plan.

Policy 10.1.1.3 Encourage local governments and private business to develop a coordinated and regional approach to a sustainable economy for El Dorado County.

Program 10.1.1.3.1:

Support County business and local government efforts to develop regional, State, National, and international markets for our County's products, services, and attractors.

Policy 10.1.1.4 An officer at the County level shall be assigned the responsibility of coordinating and implementing the Economic Development Programs for El Dorado County. This individual shall act on behalf of both the County and private sector economic interests to oversee policy and provide liaison activities to facilitate the timely implementation of the program objectives. This County official shall become the main point of contact for the business community and shall coordinate all activities to support the Economic Development Plan for County agencies and departments.

OBJECTIVE 10.1.2: IMPROVE REGULATORY PROCESS

Reform and improve regulatory processes relating to business in order to foster the spirit of cooperation, understanding, and consensus between government and business.

Policy 10.1.2.1 Create methods to assist government regulators in understanding and making positive responses to the needs and priorities of business owners.

Program 10.1.2.1.1:

The Economic Development Providers Network shall provide periodic training workshops for business and public agency participants to develop understanding of business owners' needs (e.g., the particular problems of small business in the regulatory process, improved customer service in the permit process, and particular economic issues).

Program 10.1.2.1.2:

Establish regulatory assistance services for the public, including businesses, to clarify government regulatory processes, to assist in coordinating regulatory functions, and to provide information regarding vacant land and facilitate locational assistance to business.

Program 10.1.2.1.3:

As part of the annual budget review process, County departments shall identify potential changes in fees, improved regulatory processes, and appropriate staffing allocations and organization to match forecasted work load which minimize delays that create a negative effect on stimulating County economic activity.

Policy 10.1.2.2 Improve, streamline, and monitor permit processing procedures.

Program 10.1.2.2.1:

Assess the impact on large and small businesses of regulatory issues and recommend cost saving changes to permit processing procedures.

Program 10.1.2.2.2:

Provide the Economic Development Providers Network with an opportunity to review, on a periodic basis, County government structure for consistency with efficient and cost effective regulation of business.

Program 10.1.2.2.3:

Expedite permitting services as an incentive to encourage upgrading of unoccupied developed and underutilized commercial and industrial sites and/or structures. The County should encourage the use of unoccupied developed and/or underutilized County owned sites and/or structures for commercial and industrial use when a public use is not needed.

Program 10.1.2.2.4:

Review existing County regulations and procedures to eliminate unneeded, inconsistent, and redundant legal requirements.

Program 10.1.2.2.5:

The final Environmental Impact Report (EIR) for the 2025 General Plan may be used as a first tier EIR. Future environmental documents for site specific projects, development code regulations, and specific zoning may rely upon and tier off of this EIR.

Program 10.1.2.2.6:

The Zoning Ordinance shall expand the classes of permitted uses for commercial, industrial, and research and development uses on lands so designated on the General Plan land use maps, and/or that have been pre-planned through planned developments, specific plans, and other master planned lands.

Policy 10.1.2.3 All County regulations and procedures shall be written in a concise and easy to understand manner.

Policy 10.1.2.4 When adopting new regulations or procedures, both regulatory and business needs shall be reflected.

Program 10.1.2.4.1:

Regulations shall include a means to accomplish regulatory needs with the least interference and/or barriers to business. Interested parties should be invited to participate in the development and review of new regulations.

Program 10.1.2.4.2:

The County shall prepare an overview statement for proposed laws or administrative regulations including: (a) the purpose of the law and/or regulation; and (b) the relationship between stated purposes and other adopted laws and/or regulations of the County.

Program 10.1.2.4.3:

All proposed development regulations or ordinances shall demonstrate a public benefit where proposed regulations or ordinances will result in private or public costs. This requirement shall not be construed to create a cause of action against the County for its alleged failure to prepare a formal cost/benefit analysis or its alleged failure to prepare a legally adequate or sufficient cost/benefit analysis.

- Policy 10.1.2.5 County agencies and/or departments, when developing ordinances, rules, regulations, and procedures to implement the General Plan, will analyze and present to the appropriate reviewing and/or regulating bodies the economical effects and taking implications of the proposed ordinances, rules, regulations, procedures on private property and private property rights. This requirement shall not be construed to create a cause of action against the County for its alleged failure to prepare a formal cost/benefit analysis or its alleged failure to prepare a legally adequate or sufficient cost/benefit analysis.

OBJECTIVE 10.1.3: FISCAL AND ECONOMIC INFORMATION

Provide County decision-makers with appropriate tools and a framework to determine the fiscal and economic impacts of industries and new projects.

- Policy 10.1.3.1 The Economic Development Providers Network shall establish an economic information base about the County of El Dorado and the incorporated cities therein.

Program 10.1.3.1.1:

Assemble and maintain a library of economic data to be available for use in economic impact studies and/or industry case studies.

Program 10.1.3.1.2:

Make available to the business community and other community interest groups including individuals, publications on economic and demographic information for El Dorado County's incorporated and unincorporated areas.

Program 10.1.3.1.3:

Create a Target Industry Committee representing a cross-section of community interests including local business interests to develop selection criteria for determining desirable target industries that are harmonious with the local custom, culture, and overall quality of life expectations.

Program 10.1.3.1.4:

Prepare a report once every two years which describes the El Dorado County economy, identifies important demographic and industry trends,

identifies leading economic indicators, and identifies and ranks targeted industries to help guide business recruitment and local business expansion efforts.

OBJECTIVE 10.1.4: COMMUNICATION

Establish a forum for discussion and make recommendations on pending environmental issues that affect business and the County's economic vitality.

Policy 10.1.4.1 The Economic Development Providers Network shall promote communication to identify and resolve issues of concern to environmental and economic interests and identify opportunities to integrate the goals of economic health and environmental enhancement.

Program 10.1.4.1.1:

Provide information to educate the business community on environmental issues and to educate the environmental community on the local and regional economy.

Program 10.1.4.1.2:

Identify issues to be considered including, but not limited to, the following:

- location of environmentally compatible areas to develop or expand a full range of housing opportunities including affordable housing opportunities for the local labor force;
- location of environmentally compatible areas for industry to develop or expand;
- provision of transportation facilities;
- methods of streamlining regulatory processes;
- ways in which economic activity can strengthen environmental quality and rural character;
- promotion and protection of environmental quality as an economic asset;
- promotion of increased tourism; and
- support for environmentally sound business in the County.

OBJECTIVE 10.1.5: BUSINESS RETENTION AND EXPANSION

Assist in the retention and expansion of existing businesses through focused outreach and public and private incentive programs and target new industries which diversify and strengthen our export base.

Policy 10.1.5.1 Assist industries to remain, expand, or to locate in El Dorado County.

Program 10.1.5.1.1:

Identify and attract selected targeted industries that are consistent with the County's goal of balancing economic vitality and environmental protection.

Program 10.1.5.1.2:

Develop an action plan for each targeted industry to encourage retention and expansion of businesses including special needs of each targeted industry and location assistance for expansion or relocation. Incubator space within commercial/industrial parks is an important component of these action plans.

Program 10.1.5.1.3:

The Economic Development Providers Network shall establish a system for annually inventorying existing industries and businesses in order to provide early warning of businesses that are at risk and are considering moving or expanding out of the County.

Program 10.1.5.1.4:

Annually dedicate and budget County staff to implement programs under Objective 10.1.5 and/or coordinate County efforts with the private sector and Economic Development Providers Network.

Program 10.1.5.1.5:

The County shall monitor land availability through five-year reviews of the General Plan to assure a sufficient supply of commercial and industrial designated lands.

Program 10.1.5.1.6:

El Dorado County, in cooperation with the Economic Providers Network, shall develop a comprehensive regional economic development program to attract industry to the County at a rate higher than the Sacramento Area Council of Governments (SACOG) and/or County employment forecasts. The economic development program should consider the employment needs of the resident labor force as well as more traditional measures of progress/stability as the jobs/housing balance.

Policy 10.1.5.2 Provide services which enable existing companies with emphasis on identified growth industries, to retain and expand their businesses in El Dorado County.

Program 10.1.5.2.1:

The Economic Development Providers Network shall conduct meetings and interviews with existing companies in each of the identified growth

industries focusing on service needs and local government’s ability to address those needs.

Program 10.1.5.2.2:

The Economic Development Providers Network shall conduct economic base studies to identify trends in industry and to identify those industries which are well positioned in the local, regional, State, National, or international markets to experience and sustain economic growth.

Policy 10.1.5.3 Conduct outreach to targeted industries for potential location in El Dorado County.

Program 10.1.5.3.1:

Develop an information system on significant potential vacancies in office, commercial, and industrial space to facilitate the movement of business from one facility to another. The information system should include data which characterizes the type and source of utilities available at each vacancy.

Policy 10.1.5.4 Recognize and promote agricultural based industries in El Dorado County and provide for the expansion of value added industries in an economically viable manner consistent with available resources.

Program 10.1.5.4.1:

The Zoning Ordinance shall provide for agriculture dependent commercial and industrial uses on lands within Rural Regions.

Program 10.1.5.4.2:

The Zoning Ordinance shall allow the sales and marketing of products grown in El Dorado County and crafts made in El Dorado County in areas designated for agricultural use.

Policy 10.1.5.5 Recognize and promote the need to create greater opportunities for El Dorado County residents to satisfy retail shopping demands in El Dorado County.

Program 10.1.5.5.1:

Designate sufficient lands of a size and at locations to accommodate needed retail and commercial development.

Policy 10.1.5.6 Encourage the locating of new employment base industries that provide for additional employment opportunities for existing residents currently employed by industries with declining job potential to provide for a better employment future and business climate for the County. Prior to approval of a General Plan amendment to Tourist Recreational or a zone change to implement this land use designation, when a site is adjacent to a

residential, agricultural, or Natural Resource designation, a finding shall be made which concludes that the development project will have no significant growth inducement effect on adjacent lands.

OBJECTIVE 10.1.6: CAPTURE OF RETAIL AND TOURISM DOLLARS

Capture a greater share of retail and tourist dollars within the County by providing opportunities to establish new tourist-related commercial operations while promoting and maintaining existing tourist commercial operations.

Policy 10.1.6.1 The County shall encourage expansion of the types of local industries that promote tourism including but not limited to Christmas tree farms, wineries, outdoor sports facilities, Apple Hill and other agricultural-related activities, the County Fairground, bed and breakfast inns, and ranch marketing activities.

Program 10.1.6.1.1:

Annually assign and budget County staff to implement Policy 10.1.6.1 and/or coordinate efforts with the Economic Development Providers Network.

Policy 10.1.6.2 The use of public transportation shall be encouraged to serve and support the County's tourist destinations.

Policy 10.1.6.3 Support land use designations adjacent to major transportation corridors which are suitable for convention centers and vehicle-to-shuttle-bus transfer facilities to support tourism, large special events, etc.

Policy 10.1.6.4 The majority of transient occupancy tax (TOT) generated revenue shall be directed toward the promotion of tourism, entertainment, business, and leisure travel in El Dorado County.

Policy 10.1.6.5 The County shall designate areas Tourist Recreation to promote the development of tourist-related business. Such areas may be located along the U.S. Highway 50 corridor, other State highways, the American River Canyons, and other appropriate areas suitable for such uses. A new zone district shall be established to differentiate between the low-intensity recreational uses and higher intensity recreational uses such as RV parks. The placement of this designation shall not be used as a precedent for additional high intensity land use designations in nearby areas.

OBJECTIVE 10.1.7: SMALL BUSINESS AND WORK PLACE ALTERNATIVES

Promote the establishment and expansion of small businesses and work place alternatives including home occupations, telecommuting businesses, and technology transfer based industries.

Policy 10.1.7.1 Evaluate the County’s business license procedure to streamline or minimize the process for small businesses.

Program 10.1.7.1.1:

Establish a uniform small business licensing application, forms, and instructions for all cities and the County.

Program 10.1.7.1.2:

Review the business license fees in the cities and County to provide an equitable structure for business with ten or less employees.

Policy 10.1.7.2 Assist small business in the County.

Program 10.1.7.2.1:

Provide information on small business assistance programs, the agencies regulating small businesses, and distribute small business resources directories.

Policy 10.1.7.3 Encourage employers, including public agencies, to offer work place alternatives such as telecommuting and promote formation of neighborhood based telecommuting centers in which multiple businesses use joint services.

Program 10.1.7.3.1:

Establish land use regulations that permit by right satellite work centers, home work place alternatives, and home occupations as a means of reducing commutes on U.S. Highway 50.

Policy 10.1.7.4 Home occupations shall be encouraged and permitted to the extent that they are compatible with adjacent or surrounding properties.

Program 10.1.7.4.1:

Establish standards in the Zoning Ordinance that provide compatible home businesses that complement residential uses in the Community Regions, Rural Centers, and Rural Regions.

Program 10.1.7.4.2:

Land use regulations shall disallow Conditions, Covenants, and Restrictions that preclude home occupations or work-at-home activities.

OBJECTIVE 10.1.8: JOB TRAINING

Support the use of El Dorado County’s educational institutions to provide employment training and vocational education programs for potential employees of El Dorado County’s businesses.

- Policy 10.1.8.1 Provide a forum for discussion of how best to match educational programs of El Dorado County's high schools and colleges with the needs of employers in the target industries groups.
- Policy 10.1.8.2 Encourage the development and growth of small business in El Dorado County through entrepreneurial training programs in the curriculums of the educational institutions.
- Policy 10.1.8.3 Support efforts by the County Office of Education or private sector initiatives to expand and/or establish dedicated vocational training at all County high schools and community colleges.

OBJECTIVE 10.1.9: JOBS-HOUSING RELATIONSHIP

The County shall monitor the jobs-housing balance and emphasize employment creation.

- Policy 10.1.9.1 The County shall use appropriate land use, zoning, and permit streamlining strategies, and other financial incentives to provide for and encourage a broad mix housing types that are compatible with wage structures associated with existing and forecasted employment.
- Policy 10.1.9.2 Encourage specific plans and large planned developments in Community Regions and Rural Centers to include a broad mix of housing types and relate it to local wage structures to achieve balance with existing and forecasted resident household needs.
- Policy 10.1.9.3 The County shall actively promote job generating land uses while de-emphasizing residential development unless it is tied to a strategy that is necessary to attract job generating land uses.

GOAL 10.2: PUBLIC SERVICES AND INFRASTRUCTURE

Provide adequate levels of public services and infrastructure for existing residents and targeted industries and establish equitable methods to assure funding of needed improvements to existing infrastructure and services and new facilities to further economic development consistent with the County's custom, culture, and economic stability.

OBJECTIVE 10.2.1: PUBLIC AND CIVIC FACILITIES INVESTMENT

Give a high priority to funding quality civic, public and community facilities, and basic infrastructure that serve a broad range of needs.

- Policy 10.2.1.1 The County shall prepare and coordinate with other service providers long-term capital improvement plans to more efficiently provide infrastructure and services in a manner consistent with the needs of targeted industries and existing residents. This process shall identify cost estimates for each project in current dollars and identify the funding source.
- Policy 10.2.1.2 The County shall aggressively pursue private, regional, State, and Federal funding sources to reduce local burdens.
- Policy 10.2.1.3 Require that all costs of upgrading and/or constructing civic, public and community facilities, and basic infrastructure exclusively needed to serve new development be the responsibility of new development and not existing residents.
- Policy 10.2.1.4 Require new discretionary development to pay its fair share of the costs of all civic and public and community facilities it utilizes based upon the demand for these facilities which can be attributed to new development.
- Policy 10.2.1.5 A public facilities and services financing plan that assures that costs burdens of any civic, public, and community facilities, infrastructure, ongoing services, including operations and maintenance necessitated by a development proposal, as defined below, are adequately financed to assure no net cost burden to existing residents shall be submitted with the following development applications:
 - A. Specific plans; and
 - B. All residential, commercial, and industrial projects located within a Community Region or Rural Center which exceed the following thresholds:
 - 1. Residential.....50 units
 - 2. Commercial.....20 acres or 100,000 square feet
 - 3. Industrial20 acres or 250,000 square feet
- Policy 10.2.1.6 Provision of new infrastructure and facilities shall be coordinated with existing infrastructure and facilities and shall maximize use of existing facilities capacity to the extent that any exists.
- Policy 10.2.1.7 Emphasize public investment strategies that enhance the value of commercial uses to maximize absorption rates. If these strategies are successful, the infrastructure finance program will have a greater chance of success related to the increased real estate values created.

Policy 10.2.1.8 Direct new development to land where infrastructure and service levels are adequate so as to minimize development costs.

OBJECTIVE 10.2.2: EQUITABLE FINANCING METHODS FOR PUBLIC IMPROVEMENTS

Utilize equitable financing methods that assure that service standards adopted in the General Plan are achieved.

Policy 10.2.2.1 When adopting, amending, and imposing impact fees and developer exactions, consider the effects of such fees and exactions upon project economics.

Program 10.2.2.1.1:

Review other County impact fees and consider adopting fees necessary to assure that new development pays its fair share of public facility and services costs.

Policy 10.2.2.2 Stress financing strategies that maximize the use of pay-as-you-go methods to gain the most benefit from available revenue without placing unreasonable burdens on new development.

Program 10.2.2.2.1:

When a project directly or indirectly impacts existing public services and/or infrastructure, it shall provide for and finance improvements consistent with the degree of impact to public services and/or infrastructure directly or indirectly attributed to the project. Cost to be borne by the project proponent shall be determined on the basis of the above described nexus and other pre-existing legally binding agreements such as development agreements.

Policy 10.2.2.3 Fees and assessments collected shall be applied to the geographic zone from which they are originated.

Policy 10.2.2.4 Fees and assessments, with Board of Supervisor approval, can be deferred and/or paid through property tax increments if it can be demonstrated that a current or projected rate is serving as a location avoidance factor for targeted industries.

OBJECTIVE 10.2.3: COORDINATION OF PUBLIC IMPROVEMENTS

Cooperate with other jurisdictions to promote the most cost-effective methods of providing civic, public and community facilities, and basic infrastructure necessary for supporting the economic, social, and environmental well being of the County and its residents.

Policy 10.2.3.1 Coordinate major infrastructure construction within the County, particularly the transportation system network and extension of sewer and water service, to assure consistency of these improvements with the General Plan. Where it has legal authority to do so, the County, through its membership on LAFCO or otherwise, should deny proposals by special districts found to be inconsistent with the County's General Plan.

Program 10.2.3.1.1:

Government Code Section 65401 authorizes the County to obtain lists of all capital projects planned by public agencies within the County. Proposed capital improvements found inconsistent with the County's General Plan can be protested to the sponsoring agency. As part of its annual review of the Capital Improvement Program, the County should include a Section 65401 review which lists all capital projects sponsored by other jurisdictions during the following year and makes a finding relative to the consistency of each project with the County's General Plan.

Program 10.2.3.1.2:

As part of an effort to maintain high quality services and implement the General Plan, the County should maintain an effective liaison and improve cooperation with the cities and special districts serving the County.

Policy 10.2.3.2 Cooperate with cities when processing applications for subdivisions or other large projects located within a city's Sphere of Influence. When there are no conflicts, all city policies and standards, as well as County policies and standards, projects should be required to meet all such policies and standards.

OBJECTIVE 10.2.4: FUNDING AVAILABILITY

Ensure that adequate funding is available for all ongoing County-wide services.

Policy 10.2.4.1 Seek methods for existing development within unincorporated areas and cities to assume a fair share of the costs for County-wide mandated services including social and welfare services, health services, and criminal justice in addition to the normal health and safety services such as fire, sheriff, ambulance, road maintenance, etc.

Policy 10.2.4.2 Recover costs for services provided to the public through the use of fees and charges, where possible, and over time increase the County's cost recovery as a percent of the total budget while maintaining strong management controls to provide effective services at the lowest reasonable cost.

- Policy 10.2.4.3 Emphasize economic development as a part of efforts to increase fiscal performance with special emphasis upon improving retail sales capture in the County.
- Policy 10.2.4.4 Use benefit assessment districts or other methods to provide funding for the maintenance of local roads and drainage projects.
- Policy 10.2.4.5 The County shall make all legally permissible efforts to avoid implementation or State or Federal mandated services that are not accompanied by sufficient non-County generated funding.

OBJECTIVE 10.2.5: NEW DEVELOPMENT FISCAL EFFECTS

Ensure that new development results in a positive fiscal balance for the County.

- Policy 10.2.5.1 Avoid using County General Fund revenues for funding the incremental costs of new municipal services in developing areas.
- Policy 10.2.5.2 Amend the discretionary development review process to require the identification of economic factors derived from a project such as sales tax, property tax, potential job creation (types and numbers), wage structures, and multiplier effects in the local economy.

OBJECTIVE 10.2.6: FISCAL EFFECTS OF GOVERNMENT REORGANIZATION

Through the County’s membership on LAFCO or otherwise, ensure that government reorganizations such as annexations, incorporation, and district formations do not have a negative fiscal effect on the County’s operating budget and that such reorganizations are revenue neutral from the County’s standpoint.

- Policy 10.2.6.1 Establish and implement an equitable and standardized approach to property tax sharing with cities during the annexation process which results in a neutral fiscal impact on the County.
- Policy 10.2.6.2 Cooperate with cities during the establishment of redevelopment projects to assure that fiscal impacts upon the County are neutral and do not result in a negative fiscal impact upon the County.

OBJECTIVE 10.2.7: COORDINATE LAND USES WITH OTHER JURISDICTIONS

Resolve conflicts with other jurisdictions regarding the location of revenue-generating land uses.

- Policy 10.2.7.1 Large commercial or industrial projects located in the County but affecting a nearby city should be planned in cooperation with that city so that potential negative impacts can be effectively mitigated.

- Policy 10.2.7.2 Establish a joint County/City task force to develop complementary land use designations, zoning, transportation, and funding plans to protect existing and to encourage new commercial, industrial, and research and development projects in the Missouri Flat-Placerville Drive areas.
- Policy 10.2.7.3 Missouri Flat Road Corridor Area: The County shall commit to the comprehensive development of the needed road circulation plan for this area immediately following adoption of the General Plan. This plan shall also include the identification and development of a specific funding mechanism that overcomes existing deficiencies and accommodates future traffic demands to the year 2015.
- Policy 10.2.7.4 Coordinate with the incorporated cities the development of sites adjacent to major transportation corridors which are suitable for convention centers and vehicle-to-shuttle-bus transfer facilities to support tourism, large special events, etc.
- Policy 10.2.7.5 Develop a common public facilities impact funding program within the cities and the County.

IMPLEMENTATION PROGRAM

MEASURE ED-A

Economic Development Providers Network Annual Report: Prepare an action plan to implement the objectives of the Economic Development Element. Prepare an annual report on the status of accomplishment toward the objectives for the past year and the plan for the upcoming year. [Policy 10.1.1.1]

Responsibility:	Overseen by Office of Economic Development
Time Frame:	Prepare initial action plan within one year of General Plan adoption. Annual reporting thereafter.

MEASURE ED-B

Actively participate in the Economic Development Providers Network. [Policy 10.1.1.1]

Responsibility:	Office of Economic Development
Time Frame:	Ongoing

MEASURE ED-C

Sponsor, via the Economic Development Providers Network, seminars and workshops for El Dorado County's businesses, targeted industry organizations, and government decision makers. [Policy 10.1.1.2]

Responsibility:	Overseen by Office of Economic Development
Time Frame:	Annually develop program of seminars and workshops to be presented that fiscal year.

MEASURE ED-D

Establish and maintain liaison with local and regional business organizations to improve coordination of efforts relating to business issues. [Policy 10.1.1.2]

Responsibility:	Office of Economic Development
Time Frame:	Establish liaison within one year of General Plan adoption. Coordination ongoing.

MEASURE ED-E

Convene periodic broadly based community forums to discuss El Dorado County's economic issues and concerns in conjunction with business, educational, agricultural, environmental, and other interested organizations. [Policy 10.1.1.2]

Responsibility:	Office of Economic Development and Department of Agriculture
Time Frame:	Prepare schedule for forums every two years. Presentation will be ongoing.

MEASURE ED-F

Work with local businesses to gather feedback from problem solving activities for immediate action and/or inclusion in Annual Economic Plans. [Policy 10.1.1.2]

Responsibility:	Office of Economic Development
Time Frame:	Ongoing

MEASURE ED-G

Support County business and local government efforts to develop regional, State, National, and international markets for the County's products, services, and attractors. [Policy 10.1.1.3]

Responsibility:	Office of Economic Development
Time Frame:	Ongoing

MEASURE ED-H

Through the Economic Development Providers Network, provide periodic training workshops for business and public agency participants to develop understanding of business owners’ needs (e.g., the particular problems of small business in the regulatory process, improved customer service in the permit process, and particular economic issues). [Policy 10.1.2.1]

Responsibility:	Overseen by Office of Economic Development; Planning Department, Environmental Management, Department of Transportation, and Building Department to participate
Time Frame:	Develop program of workshops to be presented every two years. Workshop presentation will be ongoing.

MEASURE ED-I

Establish regulatory assistance services for the public, including businesses, to clarify government regulatory processes, to assist in coordinating regulatory functions, and to provide information regarding vacant land and facilitate locational assistance to business. [Policy 10.1.2.1]

Responsibility:	Overseen by Office of Economic Development; Planning Department, Environmental Management, Department of Transportation, Building Department, and Surveyor’s Office to participate
Time Frame:	Develop initial program within two years of General Plan adoption. Assistance will be ongoing.

MEASURE ED-J

As part of the annual budget review process, County departments shall identify potential changes in fees, improved regulatory processes, and appropriate staffing allocations and organization to match forecasted work load which minimize delays that create a negative effect on stimulating County economic activity. [Policy 10.1.2.1]

Responsibility:	Planning Department, Environmental Management, Department of Transportation, Building Department, and Surveyor’s Office
Time Frame:	Annually as part of the budget process.

MEASURE ED-K

Assess the impact on large and small businesses of regulatory issues and recommend cost saving changes to permit processing procedures. [Policy 10.1.2.2]

Responsibility:	Office of Economic Development, Planning Department, Environmental Management, Department of Transportation, and Building Department
Time Frame:	Complete initial review within two years of General Plan adoption. Present review of potential changes annually thereafter.

MEASURE ED-L

Provide the Economic Development Providers Network with an opportunity to review, on a periodic basis, County government structure for consistency with efficient and cost effective regulation of business. [Policy 10.1.2.2]

Responsibility:	Office of Economic Development
Time Frame:	Facilitate a review every three years.

MEASURE ED-M

Expedite permitting services as an incentive to encourage upgrading of unoccupied developed and underutilized commercial and industrial sites and/or structures. The County should encourage the use of unoccupied developed and/or underutilized County owned sites and/or structures for commercial and industrial use when a public use is not needed. [Policy 10.1.2.2]

Responsibility:	Office of Economic Development, Planning Department, Environmental Management, Department of Transportation, and Building Department
Time Frame:	Develop process for expedited permitting within two years of General Plan adoption. Should be concurrent with Implementation Measure ED-K.

MEASURE ED-N

Review existing County regulations and procedures to eliminate unneeded, inconsistent, and redundant legal requirements. [Policy 10.1.2.2]

Responsibility:	County Counsel, Office of Economic Development, Planning Department, Environmental Management, Department of Transportation, and Building Department
Time Frame:	Complete initial review within one year of General Plan adoption and complete additional reviews every three years. Revisions to County regulations will be ongoing.

MEASURE ED-O

Use the final Environmental Impact Report (EIR) for the General Plan as a first tier EIR. Future environmental documents for site specific projects, development code regulations, and specific zoning may rely upon and tier off of this EIR. [Policy 10.1.2.2]

Responsibility:	Planning Department
Time Frame:	Ongoing

MEASURE ED-P

Revise the Zoning Ordinance so that classes of permitted uses for commercial, industrial, and research and development uses on lands so designated on the General Plan Land Use Maps, and/or that have been pre-planned through planned developments, specific plans, and other master planned lands, are expanded. [Policy 10.1.2.2]

Responsibility:	Planning Department
Time Frame:	Revise Zoning Ordinance within one year of General Plan adoption.

MEASURE ED-Q

Regulations shall include a means to accomplish regulatory needs with the least interference and/or barriers to business. Interested parties should be invited to participate in the development and review of new regulations. [Policy 10.1.2.4]

Responsibility:	County Counsel, Office of Economic Development, Planning Department, Environmental Management, Department of Transportation, and Building Department
Time Frame:	Concurrent with the Zoning Ordinance update (within one year of General Plan adoption) and Implementation Measure ED-N and ED-R.

MEASURE ED-R

The County shall prepare an overview statement for proposed laws or administrative regulations including: (a) the purpose of the law and/or regulation; and (b) the relationship between stated purposes and other adopted laws and/or regulations of the County. [Policy 10.1.2.4]

Responsibility:	County Counsel
Time Frame:	Concurrent with the Zoning Ordinance update (within one year of General Plan adoption) and Implementation Measure ED-N and ED-Q.

MEASURE ED-S

All proposed development regulations or ordinances shall demonstrate a public benefit where proposed regulations or ordinances will result in private or public costs. This requirement shall not be construed to create a cause of action against the County for its alleged failure to prepare a formal cost/benefit analysis or its alleged failure to prepare a legally adequate or sufficient cost/benefit analysis. [Policy 10.1.2.4]

Responsibility:	County Counsel
Time Frame:	Ongoing as new ordinances are developed and existing ordinances are updated.

MEASURE ED-T

Assemble and maintain a library of economic data to be available for use in economic impact studies and/or industry case studies. [Policy 10.1.3.1]

Responsibility:	Office of Economic Development
Time Frame:	Assemble library within four years of General Plan adoption.

MEASURE ED-U

Make available to the business community and other community interest groups including individuals, publications on economic and demographic information for El Dorado County’s incorporated and unincorporated areas. [Policy 10.1.3.1]

Responsibility:	Office of Economic Development
Time Frame:	Ongoing

MEASURE ED-V

Create a Target Industry Committee representing a cross-section of community interests including local business interests to develop selection criteria for determining desirable target industries that are harmonious with the local custom, culture, and overall quality of life expectations. [Policy 10.1.3.1]

Responsibility:	Office of Economic Development
Time Frame:	Seat committee within one year of General Plan adoption. Committee to develop criteria within two years of General Plan adoption.

MEASURE ED-W

Prepare a report once every two years which describes the El Dorado County economy, identifies important demographic and industry trends, identifies leading economic indicators, and identifies and ranks targeted industries to help guide business recruitment and local business expansion effort. [Policy 10.1.3.1]

Responsibility:	Office of Economic Development
Time Frame:	Every two years.

MEASURE ED-X

Provide information to educate the business community on environmental issues and to educate the environmental community on the local and regional economy. [Policy 10.1.4.1]

Responsibility:	Office of Economic Development, Planning Department, Environmental Management, Department of Transportation, and Building Department
Time Frame:	Develop initial program within two years.

MEASURE ED-Y

Identify environmental issues to be considered by the Economic Development Providers Network, including, but not limited to:

- A. Location of environmentally compatible areas to develop or expand a full range of housing opportunities including affordable housing opportunities for the local labor force;
- B. Location of environmentally compatible areas for industry to develop or expand;
- C. Provision of transportation facilities;
- D. Methods of streamlining regulatory processes;
- E. Ways in which economic activity can strengthen environmental quality and rural character;
- F. Promotion and protection of environmental quality as an economic asset;
- G. Promotion of increased tourism; and
- H. Support for environmentally sound business in the County.

[Policy 10.1.4.1]

Responsibility:	Overseen by Office of Economic Development; Planning Department, Environmental Management, Department of Transportation, and Building Department to participate
Time Frame:	Issues to be identified concurrent with the development of the program identified under Implementation Measure ED-X.

MEASURE ED-Z

Identify and attract selected targeted industries that are consistent with the County's goal of balancing economic vitality and environmental protection. [Policy 10.1.5.1]

Responsibility:	Office of Economic Development
Time Frame:	Begin recruiting immediately following development of criteria outlined in Implementation Measure ED-V.

MEASURE ED-AA

Develop an action plan for each targeted industry to encourage retention and expansion of businesses including special needs of each targeted industry and location assistance for expansion or relocation. Incubator space within commercial/industrial parks is an important component of these action plans. [Policy 10.1.5.1]

Responsibility:	Office of Economic Development
Time Frame:	Action plan for targeting industry will be concurrent with Implementation Measure ED-V. Develop action plan for retention and expansion within two years of General Plan adoption.

MEASURE ED-BB

The Economic Development Providers Network shall establish a system for annually inventorying existing industries and businesses in order to provide early warning of businesses that are at risk and are considering moving or expanding out of the County. [Policy 10.1.5.1]

Responsibility:	Overseen by Office of Economic Development
Time Frame:	Establish system within two years of General Plan adoption. Annual inventory thereafter.

MEASURE ED-CC

Annually dedicate and budget County staff to implement programs under General Plan Objective 10.1.5 and/or coordinate County efforts with the private sector and Economic Development Providers Network. [Policy 10.1.5.1]

Responsibility:	Office of Economic Development and Chief Administrative Officer
Time Frame:	Annually as part of the budget process.

MEASURE ED-DD

The County shall monitor land availability through five-year reviews of the General Plan to assure a sufficient supply of commercial and industrial designated lands. [Policy 10.1.5.1]

Responsibility:	Planning Department
Time Frame:	Every five years as part of regular General Plan review.

MEASURE ED-EE

El Dorado County, in cooperation with the Economic Providers Network, shall develop a comprehensive regional economic development program to attract industry to the County at a rate higher than the Sacramento Area Council of Governments (SACOG) and/or County employment forecasts. The economic development program should consider the employment needs of the resident labor force as well as more traditional measures of progress/stability as the jobs/housing balance. [Policy 10.1.5.1]

Responsibility:	Overseen by Office of Economic Development
Time Frame:	Concurrent with Implementation Measures ED-V, ED-Z, and ED-AA.

MEASURE ED-FF

The Economic Development Providers Network shall conduct meetings and interviews with existing companies in each of the identified growth industries focusing on service needs and local government's ability to address those needs. [Policy 10.1.5.2]

Responsibility:	Overseen by Office of Economic Development
Time Frame:	Ongoing

MEASURE ED-GG

The Economic Development Providers Network shall conduct economic base studies to identify trends in industry and to identify those industries which are well positioned in the local, regional, State, National, or international markets to experience and sustain economic growth. [Policy 10.1.5.2]

Responsibility:	Overseen by Office of Economic Development
Time Frame:	Complete base studies within five years of General Plan adoption. Implementation should also consider Implementation Measure ED-BB.

MEASURE ED-HH

Develop an information system on significant potential vacancies in office, commercial, and industrial space to facilitate the movement of business from one facility to another. The information system should include data which characterizes the type and source of utilities available at each vacancy. [Policy 10.1.5.3]

Responsibility:	Office of Economic Development and Planning Department
Time Frame:	Concurrent with Implementation Measures ED-I, ED-M, and ED-BB.

MEASURE ED-II

The Zoning Ordinance shall provide for agriculture dependent commercial and industrial uses on lands within Rural Regions. [Policy 10.1.5.4]

Responsibility:	Planning Department
Time Frame:	As part of Zoning Ordinance update, within one year of General Plan adoption.

MEASURE ED-JJ

The Zoning Ordinance shall allow the sales and marketing of products grown in El Dorado County and crafts made in El Dorado County in areas designated for agricultural use. [Policy 10.1.5.4]

Also refer to Policy 8.2.4.4 of the Agriculture and Forestry Element.

Responsibility:	Planning Department
Time Frame:	As part of Zoning Ordinance update, within one year of General Plan adoption.

MEASURE ED-KK

Designate sufficient lands of a size and at locations to accommodate needed retail and commercial development. [Policy 10.1.5.5]

Also refer to Measure ED-P above.

Responsibility:	Planning Department
Time Frame:	As part of Zoning Ordinance update, within one year of General Plan adoption.

MEASURE ED-LL

Annually assign and budget County staff to implement Policy 10.1.6.1 and/or coordinate efforts with the Economic Development Providers Network.

Responsibility:	Office of Economic Development and Chief Administrative Officer
Time Frame:	Annually as part of the budget process.

MEASURE ED-MM

Work with the cities of Placerville and South Lake Tahoe to establish a uniform small business licensing application, forms, and instructions for all cities and the County. [Policy 10.1.7.1]

Responsibility:	Office of Economic Development and Planning Department
Time Frame:	Establish uniform program within two years of General Plan adoption. Should be concurrent with Implementation Measures ED-K and ED-M.

MEASURE ED-NN

Work with the cities of Placerville and South Lake Tahoe to review the business license fees in the cities and County to provide an equitable structure for business with ten or less employees. [Policy 10.1.7.1]

Responsibility:	Office of Economic Development and Planning Department
Time Frame:	Provide initial report within one year of General Plan adoption. Should be concurrent with Implementation Measure ED-J.

MEASURE ED-OO

Provide information on small business assistance programs, the agencies regulating small businesses, and distribute small business resources directories. [Policy 10.1.7.2]

Responsibility:	Office of Economic Development
Time Frame:	Develop program within two years of General Plan adoption. Should be concurrent with Implementation Measure ED-I.

MEASURE ED-PP

Establish land use regulations that permit by right satellite work centers, home work place alternatives, and home occupations as a means of reducing commutes on U.S. Highway 50. [Policy 10.1.7.3]

Responsibility:	Planning Department
Time Frame:	As part of Zoning Ordinance update, within one year of General Plan adoption.

MEASURE ED-QQ

Establish standards in the Zoning Ordinance that provide compatible home businesses that complement residential uses in the Community Regions, Rural Centers, and Rural Regions. [Policy 10.1.7.4]

Responsibility:	Planning Department
Time Frame:	As part of Zoning Ordinance update, within one year of General Plan adoption.

MEASURE ED-RR

Work with developers of Conditions, Covenants, and Restrictions (CC&Rs) to prevent the creation of CC&Rs that preclude home occupations or work-at-home activities. [Policy 10.1.7.4]

Responsibility:	Office of Economic Development and Planning Department
Time Frame:	Ongoing

MEASURE ED-SS

Review existing County impact fees and consider adopting fees necessary to assure that new development pays its fair share of public facility and services costs. [Policy 10.2.2.1]

Responsibility:	Planning Department, Environmental Management, Department of Transportation, and Building Department
Time Frame:	Should be concurrent with Implementation Measures ED-J.

MEASURE ED-TT

When a project directly or indirectly affects existing public services and/or infrastructure, it shall provide for and finance improvements consistent with the degree of impact to public services and/or infrastructure directly or indirectly attributed to the project. Costs to be borne by the project proponent shall be determined on the basis of the above described nexus, other pre-existing legally binding agreements, such as development agreements, and other policies of this General Plan. Successful implementation will require coordination with non-County public service providers. [Policy 10.2.2.2]

Responsibility:	Planning Department and Department of Transportation
Time Frame:	Ongoing

MEASURE ED-UU

Government Code Section 65401 authorizes the County to obtain lists of all capital projects planned by public agencies within the County. Proposed capital improvements found inconsistent with the County’s General Plan can be protested to the sponsoring agency. As part of its annual review of its Capital Improvement Programs, the County should include a Section 65401 review which lists all capital projects sponsored by other jurisdictions during the following year and makes a finding relative to the consistency of each project with the County’s General Plan. [Policy 10.2.3.1]

Responsibility:	Overseen by Office of Economic Development; Planning Department and Department of Transportation to participate
Time Frame:	Ongoing

MEASURE ED-VV

As part of an effort to maintain high quality services and implement the General Plan, the County should maintain an effective liaison and improve cooperation with the cities and special districts serving the County. [Policy 10.2.3.1]

Responsibility:	Overseen by Office of Economic Development
Time Frame:	Establish liaison within one year of General Plan adoption. Coordination ongoing.

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