



COMMUNITY DEVELOPMENT AGENCY  
LONG RANGE PLANNING DIVISION

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Date: November 10, 2015  
To: Board of Supervisors  
From: Shawna Purvines, Principal Planner  
Subject: Targeted General Plan Amendment and Zoning Ordinance Update (TGPA-ZOU)  
Adoption Hearing

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#### **PURPOSE**

The purpose of this memorandum is to provide the Board of Supervisors (Board) with information to assist with review and certification of the Final Environmental Impact Report (FEIR) and consideration of the TGPA-ZOU (the "Project") during the Board hearing beginning on November 10, 2015. This memo is organized as follows:

1. Project Components (Grouped by Board Hearing Review Date)
2. Project Overview
3. Review of Planning Commission Staff Report dated July 28, 2014, Tech Memo 1 dated August 8, 2014, Tech Memo 2 dated August 27, 2015, and Planning Commission Recommendation for both the Project and FEIR
4. Response to Comments received during the Planning Commission Hearing (August 27 and September 2, 2015)
5. Board Action

#### **1. PROJECT COMPONENTS (Grouped By Board Hearing Review Date)**

The Project Components are grouped into three major topic areas: A) Rural Areas (Natural Resources, Agriculture and Rural Lands), B) Community Site Design, and C) General Plan Community Regions. Each topic area is proposed for review on a specific hearing date(s) as shown below:

##### **A. RURAL AREAS (Natural Resources, Agriculture and Rural Lands)**

###### ***November 10, 2015:***

- Camino/Pollock Pines Community Region to three Rural Centers
- Agriculture District Boundary Amendment

- Rural Commerce and Recreation (e.g. commercial/industrial in rural region, flexibility for Agricultural Support Services and Visitor Serving Uses, Ranch marketing on commercial grazing land, and expanding allowable uses through Ranch Marketing, Home Occupation, Agricultural Support services and Wineries)
- Expanded uses in Timber Production Zones (TPZs)
- Zone Mapping Criteria related to Natural Resources, Agriculture and Rural Lands; Ag – Opt In

## **B. COMMUNITY SITE DESIGN**

### ***November 12, 2015:***

- 30 percent (%) Open Space and Planned Development (PD) Policy
- 30% Slopes
- Wetland/Riparian Setbacks
- Application of Sewer/Water infrastructure policies in Community Regions
- Noise resulting from temporary and night time road construction
- Set specific lot and building design standards
- Text Clean-ups:
  - Neighborhood Service Zone
  - Traffic and Circulation Policy text clean ups
  - Air Quality Plan opportunities (Objective 6.7.1 and 6.7.5)
  - Clarify Mineral Resource mapping requirements
  - Public Facilities/Services Financing Plan requirements
  - Bikeway Master Plan (rename)

## **C. GENERAL PLAN COMMUNITY REGIONS**

### ***November 12, 2015:***

- ROI 179-2010: Expand Historic District designation to include El Dorado/Diamond Springs
- Proposed new commercial zones Commercial/Mixed Use Development (MUD) opportunities and available capacity (Inventory)
- MUD Design Standards/streamlining
- Expanded Home Occupation Ordinance (HOO)
- Allow detached housing types in Multi-Family Residential (MFR) as alternative to apartments by right
- Allow limited commercial uses in MFR/Residential Multi-Family Zone
- Infill/Opportunity Sites
- Zone Mapping Criteria related to Community Regions

### ***November 13, 2015:***

This date is reserved for additional discussion on any items held over from previous discussions, and the opportunity for the Board to deliberate on a final action.

## **2. PROJECT OVERVIEW**

### ***Legal Framework for General Plan Implementation***

The El Dorado County General Plan was adopted on July 19, 2004 by the Board. Prior to adoption of the 2004 General Plan, implementation of the 1996 General Plan was largely suspended in 1999 by a court order (“Writ of Mandate”) from the Sacramento Superior Court (El Dorado County Taxpayers for Quality Growth, et al. v. El Dorado County Board of Supervisors) on the grounds that the 1996 General Plan EIR did not adequately analyze potential environmental impacts as required by the California Environmental Quality Act (CEQA).

After the issuance of the Writ of Mandate, the County reinitiated the CEQA environmental process with a new draft General Plan. After certifying the EIR and approving the 2004 General Plan, the County filed a return on the Writ of Mandate and the superior court discharged the Writ, finding that the County had complied with all of the terms of the Writ issued in 1999. Petitioners filed a motion for review and raised additional claims.

In a March 2005 referendum election, El Dorado County voters upheld the Board-adopted General Plan (Measure B) and rejected a growth-control measure (Measure D) that would have tied growth to Highway 50 improvements.

On August 31, 2005, the superior court ruled that in adopting its 2004 General Plan, the County fully complied with the Writ of Mandate issued in relation to the approval of the 1996 General Plan. The court also rejected petitioner’s other legal challenges to the approval of the 2004 General Plan and the Writ was discharged. The Court’s ruling was appealed by the petitioners and on April 18, 2006, the County entered into a settlement agreement with the petitioners, settling the lawsuit and allowing full implementation of the 2004 General Plan.

The California Supreme Court has stated that local governments have an implied duty to keep their general plans current (*DeVita v. County of Napa, 9 Cal. 4<sup>th</sup> 763 (1995)*). Additionally, local governments must review and revise their general plans as often as they deem necessary or appropriate (Government Code section 65103(a)). The Governor’s Office of Planning and Research (OPR) is required to notify cities and counties with general plans that have been revised within the last eight (8) years (Government Code section 65040.5(a)). The County received a letter dated October 1, 2015 from OPR noting that El Dorado County’s General Plan had not been revised in the past eight (8) years. The County notified OPR in a response letter dated October 12, 2015 that El Dorado County is nearing the end of a comprehensive process initiated in 2011 that proposes targeted amendments to the General Plan, a comprehensive Zoning Ordinance Update, and design standards and guidelines for mixed use development (*See Attachments 5 and 6 to this memo.*)

## ***TGPA-ZOU Project Initiation and Board Direction***

### **2006-2009:**

The County began the process of updating the Zoning Ordinance in 2006. A comprehensive update had not been completed since 1983. In 2008, the Board directed staff to begin the formal process of updating the Zoning Ordinance (Resolution of Intention [ROI] No. 44-2008).

On June 30, 2009, the Board directed the County Agriculture Department to identify parcels that should either be included or removed from the Agricultural Districts, as directed by General Plan Implementation Measure AF-J. A parcel-by-parcel evaluation of potential additions to agricultural districts was completed using the following criteria, including but not limited to: General Plan Land Use Designations, parcel size, elevation, soil type, slope, proximity to existing agricultural districts and present land use. This process also included an evaluation of potential parcel deletions from agricultural districts by criteria such as parcel size, current land use, adjacent land use and the effect of a parcel's removal on surrounding parcels ("island effect"). All affected landowners were notified as part of this process. Based on this review, agricultural district boundary amendments were proposed, including the addition of approximately 17,000 acres into agricultural districts and removal of approximately 130 acres out of agricultural districts (ROI 013-2011). For purposes of environmental review, these agricultural district amendments were formally incorporated into the Project on November 13, 2012.

### **April 4, 2011:**

The Board completed the first 5-year review of the 2004 General Plan. General Plan Goal 2.9 requires "monitoring and review of the General Plan on a regular basis to ensure the document addresses and meets the needs of" the County. As part of regular monitoring procedures, Policy 2.9.1.1 requires annual monitoring of the rate at which the land inventory is developed, population growth, employment growth and other "useful indicators" of the County's growth. Policies 2.9.1.2 and 2.9.1.3 require assessment of annual monitoring results after two years of General Plan adoption and every five years thereafter. Based on monitoring results, these policies allow the County to make "appropriate adjustments" to the General Plan's development potential at five year intervals.

As a result of this 5-year review, the Board found the major assumptions underlying the General Plan were still valid, and identified areas within the General Plan that could be improved to better achieve certain goals. The Board identified four objectives, or targeted areas of focus, for what ultimately became the TGPA: 1) reduce constraints to the development of moderately-priced housing, 2) support job creation, 3) capture more sales tax revenues, and 4) protect and promote agriculture and natural resources. The Board also recognized the project should include any revisions necessary to address recent changes in State law since the adoption of the General Plan in 2004.

### **July - October 2011:**

Following the 5-year review, multiple public workshops were held by the Board, Planning Commission and other Board-appointed committees and commissions, concluding with the

Board providing direction on specific General Plan objective and policy amendments to be considered in the TGPA as they related to the four project objectives. During this time the Board also directed staff to combine the TGPA and ZOU into one project and to prepare a single EIR for the TGPA-ZOU (Project).

**November 14, 2011:**

The Board adopted three Resolutions of Intention (ROI) to initiate the TGPA-ZOU. First, the Board adopted ROI 182-2011 to amend the General Plan. This ROI identified limited or “targeted” amendments to General Plan policies, and consolidated these amendments with three previously adopted ROIs:

- ROI 274-2008, adopted 10/7/2010 – PD policies for 30% Open Space and requirement for a PD when creating 50+ parcels;
- ROI 110-2009, adopted 5/19/2009 – Community Region Boundary Change for Camino/Pollock Pines; and
- ROI 179-2010, adopted 12/7/10 – Historical Design Overlay for historic town sites of El Dorado and Diamond Springs

The ROI 182-2011 outlined a project description that included targeted General Plan policy amendments and revisions to the adopted General Plan Land Use Diagram (General Plan Figure LU-1), collectively referred to as the TGPA, as follows:

1. Dividing the Camino/Pollock Pines Community Region into three Rural Centers – Camino, Cedar Grove, and Pollock Pines (FEIR Figure 2-3);
2. Expanding the Agricultural District Boundary of Garden Valley-Georgetown, Coloma, Camino-Fruitridge, Gold Hill, Oak Hill, Pleasant Valley, and Fair Play-Somerset (FEIR Figure 2-4); and
3. Limited number of amendments of General Plan Land Use Designations on individual parcels (FEIR Figure 2-5a-l) identified as mapping corrections through the Comprehensive Zoning Ordinance Update.

Second, the Board adopted two ROIs (183-2011 and 184-2011) to amend the Zoning Ordinance, superseding the previous Zoning Ordinance Update ROI 44-2008 adopted on February 12, 2008. These ROIs outlined a project description that proposed a comprehensive update and reorganization of the Zoning Ordinance (ZOU) to modernize this General Plan implementation tool and to meet the requirements of Government Code Section 65860. This effort includes revisions of the Zoning Ordinance text and the County Zoning Map (*See Legistar File No. 11-0356, Attachment 18J*), including but not limited to, County initiated zone changes that impact individual parcels, addition of historic district overlays over the downtown areas of the town sites of El Dorado and Diamond Springs, and the addition and deletion of zone districts to ensure conformance with General Plan goals, objectives, policies and the General Plan Land Use Diagram.

A Parcel Inquiry look-up tool to view individual parcels proposed to be rezoned was made available to the public in March 2012 and is located on the TGPA-ZOU webpage: [http://www.edcgov.us/Government/LongRangePlanning/LandUse/TGPA-ZOU\\_Main.aspx](http://www.edcgov.us/Government/LongRangePlanning/LandUse/TGPA-ZOU_Main.aspx)

**February 2012:**

The Board directed several agriculture-related modifications to the ZOU, including the agricultural zoning “opt-in” process to ensure that land owners who are conducting, or plan to conduct, agricultural operations on rural lands would be afforded right to farm protections. In March of 2012 and again in July of 2013, the County, in conjunction with the El Dorado County Farm Bureau, notified over 3,000 property owners by U.S. mail, asking property owners, who met certain criteria, if they preferred agricultural zoning or residential zoning for their parcels. Affected property owners were given an opportunity to respond to the “opt-in” notification, and about 700 “opted-in”.

***Travel Demand Model (TDM) Update***

On December 19, 2011, the Travel (formerly “Traffic”) Demand Model (TDM) Needs Assessment was presented to the Board. The Board concluded there was a need for an updated TDM and that it would be used for the environmental analysis of the Project EIR. Beginning in early 2012, County staff and consultant Kimley-Horn and Associates, Inc. worked closely with Caltrans, the Sacramento Area Council of Governments (SACOG) and others to update the TDM. The updated TDM was completed in February 2014. The updated TDM was used to analyze the TGPA-ZOU’s potential environmental impacts as part of the Project EIR.

***TGPA-ZOU Environmental Review***

The Board authorized the environmental review process to begin in early 2012. The County released the first Notice of Preparation (NOP) on May 25, 2012 of a Draft EIR (DEIR). From July through September 2012, the Board held numerous public workshops to review the proposed ZOU, including the proposed changes to the Zoning Map. On October 1, 2012, a second NOP was released reflecting the revisions to the draft ZOU resulting from public comments received, and subsequent Planning Commission and Board public workshops. On November 13, 2012, the Board revised the project description based on comments received during the second NOP public comment period, and directed staff to proceed with preparation of the DEIR.

After the TDM was finalized in February 2014, the DEIR was released on March 24, 2014 for a 120-day public review period. This review period was 75 days more than the 45-day minimum review period required by the California Environmental Quality Act (CEQA). The Board of Supervisors requested the extended review period to allow the public ample time to review the DEIR and prepare comments. Portions of the DEIR were revised based on comments received, and a partial Draft EIR (RDEIR) was recirculated for a 45-day public review period beginning on January 29, 2015 and ending on March 16, 2015. The RDEIR included additional analysis of water supply and traffic impacts.

The environmental review process concluded with the release of the Final EIR (FEIR) on August 6, 2015. The FEIR includes the comments received on both the Draft EIR and RDEIR and written responses to all comments. The FEIR can be found at the following link:

[http://www.edcgov.us/Government/LongRangePlanning/LandUse/TGPA-ZOU\\_FEIR.aspx](http://www.edcgov.us/Government/LongRangePlanning/LandUse/TGPA-ZOU_FEIR.aspx)

### ***Public Engagement***

The public engagement effort for this Project greatly exceeded what is required by law (CEQA Guidelines Sections 15082-15088). During an eight-year period 2008-2015, the Project was discussed at nearly 150 publicly noticed meetings of the Board, Planning Commission and Agricultural Commission in which opportunities to receive public comments were available (*See Attachment 3 to this memo.*) This list is not all inclusive and does not include other community meetings, presentations or other public meetings that were held to receive comments on the project scope and Draft EIR.

Public outreach following the adoption of the Project ROIs to amend the General Plan and Zoning Ordinance consisted of a series of community meetings in March of 2012. Evening meetings were held in the communities of Cameron Park, Cool, El Dorado, El Dorado Hills, Somerset, and South Lake Tahoe. The meetings provided an opportunity for residents to learn about the various Project components, the decision making process, and opportunities for further involvement. Attendance at the meetings ranged from over 60 people in El Dorado Hills to a single person at the Tahoe meeting. Public notification methods used to inform and invite interested individuals and parties to attend the community meetings included:

- Website postings on the County homepage (under News and Hot Topics) and on the Land Use Policy Programmatic Update (LUPPU) project webpage
- Email notifications to subscribers to the County News and Hot Topics and Land Use & Dev Services Public Notices
- Email blasts to individuals and organizations who expressed interest in the project.
- Press releases distributed to local media,
- Flyer postings at community gathering places throughout the County

Also in March 2012, the County initiated the “Ag Opt-In process” which involved a direct mailing to approximately 3,000 property owners with a letter asking if they preferred agricultural zoning or residential zoning for their parcels.

The second phase of public involvement began with the release of the first NOP of a DEIR. The NOP was released on May 25, 2012 for a 45-day review period. This phase of public outreach centered on project scoping meetings held in May and June of 2012. A total of seven evening scoping meetings were held in the communities of Cameron Park, Camino, El Dorado, El Dorado Hills, Greenwood, Somerset, and South Lake Tahoe. A daytime scoping meeting was also held in Placerville during the regular meeting of the Planning Commission. On October 1, 2012, a second NOP was released for a 30-day public review period and a subsequent scoping meeting was held on October 25, 2012. The same public noticing methods were used for the initial community meetings. In addition, many local organizations, such as the Chambers of Commerce, also helped spread news and information about the project scoping meetings.

In March 2014, the Project webpage was completely reformatted and moved from the Planning Services main page to the new TGPA-ZOU project webpage on the Long Range Planning main page. The TGPA-ZOU webpage has been continuously updated and includes detailed project

information, environmental documents and public comments received, list of related Board/Planning Commission agenda items, supporting documents, etc. When the webpage is updated, email notifications are sent to the Long Range Planning News & Updates subscription list (currently about 1,300 subscribers). Additional email notifications are also sent to the County News & Hot Topics, Land Use and Dev Services Public Notices subscription lists.

The third public outreach phase began with the release of the Notice of Availability (NOA) of a Draft EIR on March 24, 2014. Although CEQA only requires a 45-day review period for Draft EIRs, the Board directed staff to extend the review period to 120 days to allow ample time for the public to review and prepare comments. On July 10, 2014, the Planning Commission held a public hearing to receive public comments on the DEIR. The public comment period closed on July 23, 2014.

In August 2014, the Planning Commission held a public hearing consisting of a series of ongoing meetings (August 4, 6, 13, 14, 18, 20 and 27) to receive public comments on the TGPA-ZOU Project, and to prepare a recommendation to the Board of Supervisors.

On January 29, 2015, a second NOA was released for a 45-day review period of a Recirculated Partial Draft EIR (RDEIR). Public notification methods used for the NOAs included:

- Legal Notices for the Draft EIR placed in Mountain Democrat, Tahoe Tribune, and Georgetown Gazette
- Press Release with NOA to local media and posted on County Home Page, under News & Hot Topics
- Email notices sent to over 3,000 subscribers to several County subscription lists
- NOA mailed to about 200 interested parties/agencies including commenters on the DEIR, military contacts and Native American Tribal contacts within the project area
- NOA posted at all County public libraries and at the Public Counter in Building C (with hard copy of RDEIR available to view)

The adoption phase of the Project initiated the fourth phase of the public involvement process. Legal ads for the Planning Commission Hearing on August 27 and September 2, 2015 were placed in the Mountain Democrat, Georgetown Gazette, and Tahoe Tribune about 30 days prior to the hearing. GovDelivery email notices were sent to the Planning Commission Agenda subscription list. The Project webpage was updated and the Long Range Planning subscription list was notified of the updates. The Legistar File (No. 11-0356) was also made available for public viewing several weeks before the hearing.

In addition, dozens of articles have appeared in local media publications as a result of the outreach and meeting opportunities provided during the Project process. Also, the Community and Economic Development Advisory Committee (CEDAC) notified hundreds of individuals and organizations about Project related notifications, meetings and documents through its Constant Contact e-mail announcements.

All project related information has been posted to the dedicated Project webpage:



[http://www.edcgov.us/LongRangePlanning/LandUse/TGPA-ZOU\\_Main.aspx](http://www.edcgov.us/LongRangePlanning/LandUse/TGPA-ZOU_Main.aspx).

### **3. PLANNING COMMISSION REVIEW AND RECOMMENDATION FOR THE PROJECT AND FEIR**

As the Board's advisory body regarding land use and planning, the Planning Commission has been an integral part of the Project's development from the beginning. In August 2014 and again in August 2015, the Planning Commission held public hearings for review and deliberations regarding the Project, related EIR, and public comments in order to prepare a recommendation for the Board.

In August 2014, the Planning Commission held a public hearing that extended to seven days for review and deliberations regarding the Project and DEIR. By the close of the hearing, the Planning Commission elected to make a tentative Project recommendation. However, the Planning Commission also requested that staff return to the Planning Commission after release of the FEIR so that the Planning Commission could consider the FEIR, including responses to public comments, prior to finalizing their recommendation to the Board.

In August 2015, the Planning Commission held a second public hearing, consisting of two full-day meetings on August 27, 2015 and September 2, 2015, for final review and deliberations regarding both the Project and FEIR, in order to prepare a recommendation for the Board. The Planning Commission generally supported the Project and recommended that the Board certify the FEIR and approve the Project with some revisions. Details regarding the Planning Commission's recommendation for both the Project and FEIR are included in Section 3 of this report. (*The Planning Commission's recommendation is attached to Legistar File No. 11-0356 - Attachment 18B*).

To assist the Planning Commission with their recommendation, staff prepared a number of documents, including three key documents summarized below:

**A. Planning Commission Staff Report, dated July 28, 2014**

*(See Legistar File No. 11-0356, Attachment 9C)*

This report gave an overview of the Project, including Planning Commission options for preparing recommendations to the Board.

**B. Planning Commission Technical Memorandum No. 1, dated August 8, 2014**

*(See Legistar File No. 11-0356, Attachment 11A)*

This memo provided the Planning Commission with a discussion of the Key Project Components.

**C. Planning Commission Technical Memorandum No. 2, dated August 27, 2015**

*(See Legistar No. File 11-0356, Attachment 16A)*

This memo included:

- Background on the environmental review process and the Planning Commission's August 2014 hearing;
- Project Components removed from the Project and not analyzed in the Project EIR (16 items listed on Table 1, pages 6-9);
- Project Components reviewed in the FEIR but recommended for removal from the Project (one item, page 9);
- Staff's recommended minor revisions to the ZOU (page 9);
- Planning Commission's tentative Project recommendation at the conclusion of the August 2014 hearing (pages 10-11); and
- Draft Recommendation for the Planning Commission to forward to the Board at the conclusion of the August 2015 hearing.

As discussed above, on September 2, 2015, the Planning Commission reconvened the hearing that was continued from August 27, 2015, and recommended approval of the Project with some modifications to the Draft TGPA, the Draft ZOU and the FEIR Mitigation Monitoring Plan (MMP).

***Planning Commission Proposed Modifications Not Consistent with Board's Original Intent***

The Planning Commission's recommendation included proposed modifications to 16 specific Project Components, shown in underline and strikeout in Attachment 18B to Legistar File No. 11-0356. Three of the proposed revisions are not consistent with the Board's intent when the project was scoped. These items, which are discussed below, may require additional consideration and/or environmental review should they be incorporated into the Project.

**1. Revisions to General Plan Policy 6.5.1.11 – Short-Term Construction Noise**

*(Item No. 6 on page 4 of Attachment 18B)*

The Project proposed revisions to Policy 6.5.1.11 would allow temporary noise exceedances and nighttime work on road construction projects. The Planning Commission's recommended changes to Policy 6.5.1.11, deleting proposed exemptions for daytime construction noise, would require all temporary project-related construction activities to either comply with the maximum noise thresholds shown in General Plan Tables 6-3 through 6-5, or obtain a temporary use permit for short term exceedances. The Planning Commission's proposed revisions to Policy 6.5.1.11 are not consistent with the Project's intent as described in ROI 182-2011 and the FEIR, which is to consider temporary exemptions from the noise standards of General Plan Tables 6-3 through 6-5 for temporary nighttime construction activities and other temporary exceedances.

**2. Revisions to ZOU Section 17.30.080 (Open Space), ZOU Section 17.28.050.B.2.b (Residential Development Requirements, Exemptions and Alternatives to Onsite Open Space Requirement), and General Plan Policy 2.2.5.23 (30% Open Space)**  
*(Item No. 15 on pages 8-10 of Attachment 18B)*

The Project was designed to give the decision makers more flexibility in considering proposed developments in High Density Residential (HDR) land uses within Community Regions, by allowing the current 30% open space requirement to be satisfied by 15% improved open space, plus an additional 15% of the site designated as exclusive use open space for each homeowner. The Project would also eliminate the requirement for a PD for projects proposing 50 lots or more, or at densities above 2 dwelling units per acre.

The Planning Commission recommendation would allow the 15% improved/15% exclusive open space alternative only for affordable housing projects, and would mandate that any HDR development on R1 and R20K zones to set aside 30% of the site as commonly owned or publically dedicated open space. Specifically the proposed revisions include: 1) the addition of Section 17.30.080 to the ZOU (30% open space requirement for all new [non-PD] subdivisions on lands zoned R1 and R20K), 2) revisions to ZOU Section 17.28.050.B.2.b (Exemptions and Alternatives to the Onsite [PD] Open Space Requirements) and 3) the addition of new General Plan Policy 2.2.5.23 (30% open space mandate for all HDR-designated lands).

The Planning Commission's recommended revisions are not consistent with the Project objectives that were adopted by the Planning Commission in 2006 (ROI No. 2006-04), and by the Board in 2008 (ROI 274-2008) and in 2011 (ROI 182-2011), in that the Planning Commission's recommended revision would expand the application of the 30% open space requirement beyond "-PD" designated sites. The objectives outlined in each of the ROI's, Project objectives and description was to modify the existing standard to achieve flexibility in meeting the 30% open space requirements under a PD while still reducing development constraints on moderate and affordable housing, not to expand the application of the requirement for 30% open space to non PD application on these two zones.

The Planning Commission's recommendation may reduce environmental impacts in areas designated for open space if the area protects important resources such as biological, cultural and hydrology, simply by limiting the amount of land that would be disturbed. However, where the subdivision involves extensive grading in preparation, the proposed change would result in no reduction in potential environmental impacts.

In addition, the requirement to designate a minimum of 30% of all HDR sites for open space could reduce the already limited amount of land devoted to housing in Community Regions. The General Plan establishes one to five units per acre as the allowable density range for HDR. The R1 zone designation, consistent with HDR, allows lot sizes of about 6,000 square feet minimum at the higher end of the allowable density. Policies mandating that 30% of the site be retained in open space combined with other site development requirements (e.g. roads and

infrastructure) would reduce the available land for residential building sites or require smaller lots of around 4,000 square feet when reaching the higher end of the allowable density range.

### **3. Rezones – Residential to Commercial**

*(Item No. 18 on page 11 of Attachment 18B)*

As directed by General Plan Policy 2.2.1.2, “Numerous (commercial) zone districts shall be utilized to direct specific categories of commercial uses to the appropriate areas (Community Regions, Rural Centers and Rural Region) of the County”. Consistent with Policy 2.2.1.2, the Project contemplates a range of commercial zones determined by the Board that best “... provide a full range of commercial retail, office and service uses to serve the residents, businesses and visitors of...(the) County”. The Board endorsed Project mapping criteria for commercial rezones for General Plan consistency (*See Legistar File No. 12-0837, Attachment 4A*) as part of the Project. The Planning Commission recommends deviating from the Board-endorsed criteria; specifically, where a parcel is currently either entirely or partially zoned residential and is being rezoned to commercial for General Plan consistency, it should be rezoned to the least intense Commercial zone, except where it would create a non-conforming use. The Planning Commission did not identify which commercial zone they felt was least intensive. This would affect approximately 324 parcels located throughout the County including all Community Regions and most Rural Centers, creating a varying (patchwork) of commercial zoning within a given block of commercially-zoned parcels.

### ***Planning Commission Suggested Revisions to Draft ZOU and Mixed Use Design Manual***

In addition, the Planning Commission suggested revisions to the Draft ZOU and Mixed Use Design Manual, but did not include the revisions in “track change” form in their minutes (*The Planning Commission’s recommendation is attached to Legistar File No. 11-0356 - Attachment 18B*). The suggested revisions address: 1) when the Mixed Use Design Manual shall be applied as standards and when they can be used as guidelines, and 2) the description and photo of the Shingle Springs area. These suggested revisions were received during public comments. The recommended modifications to the ZOU and Mixed Use Design Manual to address the Planning Commissions recommended revisions are below.

#### **1. Mixed Use Design - Standards and Guidelines:**

*Revise the Mixed Use Design Manual (FEIR Appendix C, El Dorado County Mixed Use Design Manual, PRD March 19, 2014) to differentiate between [when] “guidelines” and “standards” [are applied] as appropriate:*

- 1. Standards would apply as part of a Mixed Use Development project with a Design Review permit;*
- 2. Guidelines may apply for Mixed Use project under a Planned Development permit or for projects other than a Mixed Use Development but electing to use the guidelines;*
- 3. Apply Mixed Use Design as “guidelines” in Rural Centers and Rural Region.*

#### **17.40.180 Mixed Use Development**

**B. General Requirements.** The following requirements shall apply to all mixed use development projects:

7. Mixed use development projects in Community Regions shall require a Design Review Permit consistent with Section 17.52.030. All mixed use development projects in Community Regions shall demonstrate consistency with the design standards and guidelines found in the adopted Mixed Use Design Manual. For discretionary projects requiring public hearing, staff shall make a recommendation to the review authority based on a determination of consistency with the adopted Mixed Use Design Manual.
8. Mixed use development projects in Rural Centers or the Rural Region shall be encouraged to comply with the standards and guidelines found in the adopted Mixed Use Design Manual.
9. Any other development project with a mixed use component, such as a Conditional Use Permit or Development Plan Permit, shall be encouraged to comply with the standards and guidelines found in the adopted Mixed Use Design Manual.

#### **17.52.030 Design Review Permit**

**A. Applicability.** The Design Review Permit process is established in specific areas of the county to ensure compatibility with historical, scenic, or community design criteria. This process is applied only to commercial, industrial, mixed-use, and multi-unit residential projects in the following areas:

1. Meyers Community Plan Area.
  2. Land adjacent to designated State Scenic Highway Corridors.
  3. Other areas where the Design Review-Community (-DC), -Historic (-DH), or Scenic Corridor (-DS) Combining Zones have been applied.
  4. Mixed use development projects in Community Regions.
- 2. Revisions to Page 9 of the Public Review Draft Mixed Use Design Manual** (as shown below in underline and strikeout):

##### **Shingle Springs**

Like many communities in El Dorado County, Shingle Springs began as a bustling California gold mining settlement. The first post office was established in 1853, the first general store in 1865, and the first railroad in 1866. The town boomed as a railroad terminus, but eventually the gold miners moved on. As they left, ranchers arrived to take advantage of the surrounding hills. Today, Shingle Springs is a peaceful country community with ranches and homes on acreage located near ~~along~~ the Highway 50/South Shingle Road interchange. ~~Shingle Springs does not have the same historic main street that some of the other communities in El Dorado~~

~~County have. Instead, most of the commercial development is centered along the Durock Road/Mother Lode Drive corridor in auto-oriented retail buildings.~~ Shingle Springs has retained its historic core surrounding the train depot and looks forward to developing a downtown center that recreates the vitality of its past, similar to the historic main streets of nearby communities. Developing a historically characteristic downtown will enhance the existing industrial and multi-family area along the Durock Road corridor.

Remove the existing Shingle Springs photograph of a brick-fronted retail building and replace that photograph with a photograph of the Shingle Springs train depot building.

#### **4. RESPONSE TO COMMENTS RECEIVED DURING THE PLANNING COMMISSION HEARING**

During the Planning Commission hearing on August 27 and September 2, 2015, the Planning Commission received and considered additional written and oral public comments regarding both the Project and FEIR.

All individuals, groups and agencies desiring to comment on the Project and environmental review documents have been given adequate opportunity to submit oral and written comments since 2011. These opportunities for comment far exceed the requirements of CEQA and the County's Environmental Review procedures, including additional hearings and longer periods to review and provide comments on the documents. Staff has received, reviewed, and considered both written and oral comments received during the Planning Commission hearing on August 27, 2015 and thereafter relating to the Project.

Issues or objections raised in the recent public comments generally related to the following subjects:

- A. General Plan Implementation Requirements
- B. Adequacy of the FEIR
- C. FEIR MMP
- D. Adequacy of TDM
- E. Independence of the Project as it relates to other County project(s) and Timing of General Plan Implementation

##### **A. GENERAL PLAN IMPLEMENTATION REQUIREMENTS**

Comments objected to specific policies of the adopted 2004 General Plan and oppose the implementation of certain portions of the General Plan through the Project. For example, questions along the line of "Why bring zoning consistent with the General Plan?" or "Why is General Plan Table 2-4 being revised to bring it consistent with Policy 2.2.1.2?" were frequently asked. General Plan Policy 2.2.1.2 defines each General Plan Land Use

designation and delineates specific minimum and maximum densities consistent with the designation.

Responses to these types of comments have been repeated frequently in nearly all of the public meetings on the Project, discussed in the Frequently Asked Questions (FAQs) on the Project's dedicated website, and have been adequately responded to in the FEIR.

The County has a number of regulations in place that implement the General Plan, such as the Zoning Ordinance. As discussed in both the 2004 General Plan EIR Response to Comments and this Project EIR, the adoption of the General Plan has resulted in the need for review and update of the County's Zoning Ordinance to ensure consistency with the new General Plan as required by State Law (California Govt. Code Section 65860(c)).

The proposed ZOU has two elements:

- Updating of the text of the Zoning Ordinance both to bring it into conformance with the General Plan, and to modernize this implementation tool, and
- Revising the zoning maps to bring existing inconsistent zoning designations into conformance with the General Plan land use designations and other identified mapping corrections.

The proposed draft for both the Zoning Ordinance and Zoning Map has been available since March 2012 on the County website at:

[http://edcgov.us/LongRangePlanning/LandUse/TGPA-ZOU\\_Main.aspx](http://edcgov.us/LongRangePlanning/LandUse/TGPA-ZOU_Main.aspx)

The following examples highlight just some of the revisions made to the Zoning Ordinance as a result of the 2004 General Plan adoption.

- 1) The General Plan includes numerous objectives and policies required to be implemented through the Zoning Ordinance, including but not limited to:
  - Expand agricultural support services and uses in rural areas (Policies 2.2.5.10, 10.1.5.4, and 10.1.6.1)
  - Promote establishment of workplace alternatives such as home occupations and telecommuting (Policies 10.1.7.3 and 10.1.7.4)
  - Expand classes of permitted uses for commercial, industrial, and research and development lands (Policy 10.1.2.2)
  - Establish criteria for determining application of "reasonable use" of existing parcels with 30% slope constraints (Policy 7.1.2.1)
  - Requirement to bring zoning into consistency with the General Plan as directed in Measure LU-1.

The update of the Zoning Ordinance is in part to implement components of the General Plan Housing Element, including Housing Element Measure HO-2013-10 to provide more creativity and flexibility in development standards and guidelines as incentives for affordable housing developments, and Measure HO-2013-18 to provide adequate

developer incentive to encourage inclusion of a variety of housing types for all income levels.

One public comment received suggested the County place new limits on its housing allowances. Housing element law, enacted in 1969, mandates that local governments adequately plan to meet the existing and projected housing needs of all economic segments of the community. Numerous studies, including a number cited in the 2004 General Plan and the 2004 General Plan Findings of Fact and Statement of Overriding Considerations, have shown that governmental constraints on the availability of residential land are a major factor contributing to the cost of housing. Governmental constraints are defined in the General Plan Housing Element as *restrictions that add significant cost to housing development* (2013 Housing Element Section 3: Housing constraints pages 4-43). As stated in the Housing Element (pages 4-6):

“The State of California has declared the lack of housing is a critical problem that threatens the economic, environmental, and social quality of life in California. Any action that conflicts with the ability of the County to meet the goals of this General Plan and California Law, including but not limited to Housing Element Law, Government Code Section 65585, would be found inconsistent with State and local regulations.”

The 2004 General Plan Statement of Overriding Considerations states on page 6 that, in order to help reduce governmental constraints on the availability of residential land, *“the General Plan provides an oversupply of land use designations so that after application of policy and environmental constraints adequate land remains available to achieve the goals of the General Plan. The oversupply in combination with the environmental protection policies also ensures that the land that is developed will be the most suitable for development.”*

- 2) Comments related to the mapping criteria contended that General Plan Policy 2.2.5.6 allows the County to keep inconsistent zoning in place until such time as infrastructure is available to serve development, however these comments have not identified the “infrastructure” that is lacking or deficient. As discussed in the FEIR, Policy 2.2.5.6 or any policy of the County cannot exempt the County from the consistency provisions of the General Plan and state law.

Substantial evidence in the record supports the conclusion that infrastructure is or will be generally available to serve future development planned for in the General Plan. Most commercial, industrial and 75% of future residential development is planned for General Plan Community Regions with existing or planned access to roads, public water and public sewer infrastructure. Growth planned in Rural Centers and Rural Regions is



restricted to uses with limited infrastructure requirements, often served by wells (or public water) and septic systems.

The traffic analysis completed and discussed in the Project's FEIR specifies that adequate levels of service related to traffic can be maintained and that sufficient roadway capacity is available, or will be provided through planned road construction projects, to serve development through the General Plan horizon.

At a site specific level, General Plan Policy 5.1.2.2 states: "Provision of public services [e.g. water/wastewater service, solid waste service, road service, fire and sheriff service] to new discretionary development shall not result in a reduction of service below established standards to current users..." Policy 5.1.2.1 states: "Prior to the approval of any discretionary development, the approving authority shall make a determination of the adequacy of the public services and utilities to be impacted by that development." Therefore, before a new site specific development project is approved following a full CEQA review and determination of consistency with the General Plan, the applicant must demonstrate that adequate infrastructure is available or can be provided. In the isolated circumstances where infrastructure is locally or regionally deficient, such as a sewer line that is near capacity, General Plan Policy 2.2.5.7 provides the opportunity to deny a project until such time as infrastructure is available.

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

The state Subdivision Map Act and Policy 2.2.5.7 provides that, if infrastructure is not currently in place to serve a proposed development, the development may be conditioned to construct or pay for construction of the necessary infrastructure. These conditions of approval must be satisfied before a project can be implemented. If the infrastructure cannot be feasibly provided because of physical, environmental or economic constraints, the County can deny development plans, even if the zoning is consistent with the General Plan land use designation.

The cost associated with, and the uncertainty that comes from, retaining inconsistent zoning with the General Plan doesn't help private landowners, nor does it help the neighboring property owners, and has been an ongoing source of land use planning conflicts in the County.

The 2004 General Plan Statement of Overriding Considerations addressed this concern when it stated on page 9 that updating the Zoning Ordinance, including the Zoning Map, for consistency with the General Plan will *"protect [landowner] expectations based on longstanding zoning designations by adopting land use designations that, during the*

*zoning ordinance update following [General] Plan adoption, will require the least amount of “downzoning”, among the various alternatives considered. The administrative record contains hundreds of requests from individual property owners demonstrating that adoption of any alternative besides the 1996 General Plan (now the existing General Plan) [along with an expected Zoning Ordinance update] would frustrate the attainment of their long term goals for their property. Overwhelmingly these citizens are not land speculators with unrealistic expectations for the development of their property, but rather small long-time land holders”.*

- 3) Comments raised a concern that as part of the ZOU there would be a loss of agriculture in the County. Currently, about 670,000 acres of land are zoned primarily for agriculture or timber production. The Project increases land zoned for primary agricultural and timber production uses to more than 740,000 acres. Commercial agricultural uses are broadly allowed throughout other zone districts, including the new Rural Lands (RL) zone (172,000 acres), and many residential zones. Further, the ZOU would expand Agricultural Districts by approximately 17,000 acres, extend Right to Farm protections to Agricultural Lands outside designated Agricultural Districts and to non-agricultural zoned lands within the existing and expanded Agricultural Districts, and allows qualified parcels not currently zoned for agriculture outside the Agriculture Districts the opportunity to “opt-in” to an agricultural zone.

## **B. ADEQUACY OF THE FINAL EIR**

Comments raised claims of inadequacy of the FEIR, and propose new alternative mitigation measures. Staff has reviewed the comments and determined that responses to comments in the FEIR adequately address issues raised in the late comment letters.

Some comments requested that portions of the administrative record for the 2004 General Plan, including the 2004 General Plan EIR, be incorporated into the administrative record for the Project. Because the Project amends and implements the 2004 General Plan, the entirety of those proceedings are a part of the administrative record here.

### ***Adequacy of the EIR***

Section 15146 of the CEQA Guidelines addresses the degree of specificity required in an EIR. This section states in full:

“The degree of specificity required in an EIR will correspond to the degree of specificity involved in the underlying activity which is described in the EIR. (1) An EIR on a construction project will necessarily be more detailed in the specific effects of the project than will be an EIR on the adoption of a local general plan or comprehensive Zoning Ordinance because the effects of the construction can be predicted with greater accuracy. (2) An EIR on a project such as the adoption or amendment of a comprehensive Zoning Ordinance or a local general plan should focus on the secondary effects that can be expected to follow from the

adoption or amendment, but the EIR need not be as detailed as an EIR on the specific construction projects that might follow.”

CEQA Guidelines Section 15151 provides the following standard for a lead agency preparing an EIR:

“An EIR should be prepared with a sufficient degree of analysis to provide decision makers with information which enables them to make a decision which intelligently takes account of environmental consequences. An evaluation of the environmental effects of a proposed project need not be exhaustive, but the sufficiency of an EIR is to be reviewed in the light of what is reasonably feasible. Disagreement among experts does not make an EIR inadequate, but the EIR should summarize the main points of disagreement among the experts. The courts have looked not for perfection but for adequacy, completeness, and a good faith effort at full disclosure.”

The Project EIR addresses plans, policies and ordinances affecting over one million acres in El Dorado County. How, where, and when development will proceed within individual parcels is generally unknown and cannot be practically and feasibly addressed at this level of planning. Within the context of Section 15146 of the CEQA Guidelines, analysis of development of specific individual parcels is neither feasible nor required. Therefore, development in the County is considered more generally (e.g., a specific number of homes will be developed in a certain market area producing a calculated number of vehicle trips, air emissions, etc.) This conforms to the requirements and guidance provided by CEQA.

### **C. FEIR MMP**

#### ***Proposed Alternative Mitigation Measures From Public Comment***

Public comments included proposed alternative EIR mitigation measures for the Project. The proposed alternative mitigation measures have been reviewed and considered. Although some of the proposed alternative mitigation measures recommended might reduce environmental impacts, albeit not to a level of less than significant, they also go beyond the objectives of the 2004 General Plan and beyond the objectives set forth by the Board for the Project. For example, one of the alternative mitigation measures proposed would prohibit disturbance on 30% slope in Rural Centers and Rural Regions unless necessary for access. The General Plan policy at issue provides exemptions for access and for the owner’s reasonable use of the existing site. Because the alternative mitigation measure does not include an exemption for reasonable use of the parcel, it would allow construction of a driveway but not a house on the property, thereby substantially limiting, if not removing altogether, any reasonable economic use of the existing parcel.

Also, a primary objective of the General Plan and the Project is to protect and enhance agricultural operations in the County. General Plan policies require that the ZOU should provide for expansion of agricultural uses, and certain uses are to be allowed by right as

opposed to a discretionary permit. Many of the alternative mitigation measures proposed by commenters would eliminate some agricultural uses currently allowed and would constrain, rather than expand, agricultural uses. Some uses currently allowed by right as part of Ranch Marketing would require a discretionary permit under the commenter's recommendations. Discretionary permitting can be time consuming and expensive, therefore the alternative mitigations would defeat the objectives of both the General Plan and Project. Staff has not analyzed whether the adoption of these alternative mitigation measures proposed by commenters would require additional General Plan amendments.

#### **D. ADEQUACY OF TRAVEL DEMAND MODEL (TDM)**

##### ***Reliability of the County TDM for Program-Level Traffic Analysis***

In response to a Planning Commissioner's request for additional information regarding the reliability and functionality of the County TDM for purposes of program-level traffic analysis, staff provided a detailed technical memo to the Planning Commission, dated September 1, 2015 (*See Legistar File No. 11-0356, Attachment 16Y*). Additionally, a detailed list of all documentation produced during the process of updating the Travel Demand Model (including TDM assumptions, methodology, reports, presentations, draft model results, and a list of all Board dates) can be found on the following web link:

[http://www.edcgov.us/Government/LongRangePlanning/LandUse/Traffic\\_Demand\\_Model.aspx](http://www.edcgov.us/Government/LongRangePlanning/LandUse/Traffic_Demand_Model.aspx)

Phase 1 of the TDM included updating the traffic information to include current traffic and population data through a 2010 base year. Phase 1 of the TDM was part of the overall Land Use Policy Programmatic Update (LUPPU) process. The scope of work included updating the TDM using a new software platform, creating a new Traffic Analysis Zone map, and updating the road network. Phase 2 of the TDM included updating the growth forecast to a 20-year horizon (through 2035) based on historical growth and distribution based on General Plan goals and policies. As provided in the link listed above, the following documents (e.g., technical memorandums, reports) were created as part of Phase 1 and Phase 2 which describes the TDM assumptions, methodology, and draft model results:

- KHA Tech Memo #10: Land Use Assumptions (4/11/2012)
- BAE Urban Economics Memo: 2035 Growth Projections (3/14/2013)
- KHA Technical Memorandum #2: Model Sensitivity & Tech Memo #7: Mode Choice (11/27/2012 revised 08/26/2013)
- KHA Tech Memo #4: TAZ Development and Consideration (6/12/2012 revised 8/26/2013)
- KHA Tech Memo #5: Traffic Count and Transit Ridership Data (10/14/2012 revised 8/26/2013)
- KHA Tech Memo #9: Software Automation and Administration (4/25/2013 revised 8/26/2013)
- Travel Demand Model 2012 Update – Land Use Final Report (10/14/2013)

- Travel Demand Model 2012 Update – Final User’s Manual (10/14/2013)
- KHA Tech Memo #1: Existing Land Use and Socio Economic Data (8/31/2012 revised 11/11/2013)
- KHA Tech Memo #6: Trip Generation and Distribution (8/31/2012 revised 11/11/2013)
- KHA Tech Memo #8: TDM Validation (11/14/2013)
- KHA Tech Memo A: Peak Hour Assignment (12/17/2013)
- Travel Demand Model 2012 Update - Model Documentation Report (10/14/2013 revised 12/19/2013)
- KHA Tech Memo #3: Revised Roadway Network (6/13/2012 revised 12-19-2013)
- KHA Tech Memo B: Tasks 2.5 and 4.5 Summaries of Development of Future Scenarios (3/31/2014)

The following public workshops/presentations were done as part of the TDM update:

- 06/16/12 - Public Travel Model Workshop
- 6/27/12 - Traffic Analysis Zone Design: An overview presentation
- 06/28/12 - Travel Demand Model Presentation

In addition to public workshops and presentations, the list below provides a detailed summary of presentations made to the Board of Supervisors on the following dates (with references to the Agenda Item and Legistar file numbers) completed during the TDM update process:

- December 19, 2011 (Item 4, File 11-1441): Department of Transportation recommending the Board receive an update and provide direction on the Travel Demand Model Update
- January 24, 2012 (Item 36, File 11-1441): Chief Administrative Office recommending the Board authorize the Purchasing Agent to execute Agreement 396-S1211 with Kimley-Horn and Associates, Inc. to update the County’s current Travel Demand Model for an amount not to exceed of \$379,495 for a two year term upon approval by County Counsel and Risk Management.
- February 27, 2012 (Item 2, File 12-0267): Chief Administrative Office providing a status report and requesting discussion and direction on LUPPU including the following: 1) Targeted General Plan Amendment; 2) Housing Element Amendment; 3) Zoning Ordinance Update; and 4) Travel Demand Model Update.
- March 27, 2012 (Item 21, File 12-0267): Chief Administrative Office providing an update on LUPPU.
- April 16, 2012 (Item 2, File 12-0475): Chief Administrative Office recommending the Board review and comment on the Traffic Model Update major assumptions as shown in Attachment A that will be used to establish Achievable Development, 2025 No-Project, and 2035 Project/No Project land use forecasts for use in updating the El Dorado County

Travel Demand Model as described in Kimley-Horn & Associates, Inc.'s Tech Memo #10: Land Use Assumptions.

- May 1, 2012 (Item 39, File 12-0475): Chief Administrative Office recommending the Board review and comment on the Travel Demand Model Update major assumptions as shown in Attachment A that will be used to establish Achievable Development, 2025 No-Project, and 2035 Project/No Project land use forecasts for use in updating the El Dorado County Travel Demand Model as described in the Kimley-Horn & Associates, Inc.'s Tech Memo No.10: Land Use Assumptions (Continued Item from 4/16/12)
- June 26, 2012 (Item 46, File 12-0475): Chief Administrative Office recommending the Board review and comment on the Roadway Network Map and Traffic Analysis Zone Map (Attachments 3A & 3B) for use in updating the El Dorado County Travel Demand Model)
- July 24, 2012 (Item 19, File 12-0475): Chief Administrative Office recommending the Board provide commend and direction on the Roadway Network Map and Traffic Analysis Zone Map (Attachments 3A & 3B) for use in updating the El Dorado County Travel Demand Model.
- September 25, 2012 (Item 43, File 12-0475): Chief Administrative Office recommending the Board provide direction on roadway parameters to be analyzed with the Travel Demand Model.
- October 30, 2012 (Item 34, File 12-0267): Chief Administrative Office presenting update on LUPPU.
- December 4, 2012 (Item 40, File 12-0267): Chief Administrative Office presenting an update on LUPPU.
- January 28, 2013 (Item 3, File 12-1578): Department of Transportation recommending the Board receive and file information on the Travel Demand Model, TIM Fee Strategies and CIP.
- February 26, 2013 (Item 23, File 12-0267): Chief Administrative Office providing an update on the LUPPU) process.
- March 5, 2013 (Item 7, File 11-1441): Chief Administrative Office recommending the Board authorize the Purchasing Agent to execute Amendment I to Agreement for Services No. 396-S1211 with Kimley-Horn and Associates, Inc., revising the scope of services to add Component 4 which includes Task 4.1 - Rural Area Land Use Forecast, Optional Task 4.2 - Land Use Forecast Revision and Model Analysis, Optional Task 4.3 - Meetings and Documentation, and Optional task 4.4 - Additional Presentations, and increasing the contract amount by \$72,042.50 for a total contract amount of \$451,537.50.
- March 25, 2013 (Item 5, File 12-0475): Chief Administrative Office providing a presentation on the Travel Demand Model.
- July 30, 2013 (Item 29, File 13-0924): Community Development Agency (CDA) Long Range Planning Division presenting a workshop to begin the preparation of the 2014

Capital Improvement Plan (CIP), and requesting direction on the Board's preferred growth projection option for the CIP and Traffic Impact Mitigation Fee (TIM) Fee Program updates. Growth projection used as part of the land use forecast for TDM update.

- September 30, 2013 (Item 2, File 13-1219): Community Development Agency, Long Range Planning recommending the Board receive additional information as a follow up to the presentation provided by the Measure Y committee on August 26, 2013.
- October 22, 2013 (Item 9, File 11-1441): Community Development Agency, Long Range Planning recommending the Board approve and authorize the Purchasing Agency to execute Amendment II to the contract with Kimley-Horn Associates for the Travel Demand Model.
- October 29, 2013 (Item 19, File 13-1218): Community Development Agency, Long Range Planning providing the Board with a Long Range Planning update, including LUPPU.
- December 3, 2013 (Item 32, File 13-1218): Community Development Agency, Long Range Planning providing the Board with a Long Range Planning update, including LUPPU
- January 28, 2014 (Item 6, File 13-1218): Community Development Agency, Long Range Planning providing the Board with a Long Range Planning update, including LUPPU.
- February 24, 2014 (Item 1, File 14-0245): Community Development Agency, Long Range Planning presenting information on the Travel Demand Model.
- March 4, 2014 (Item 20, File 13-1218): Community Development Agency, Long Range Planning providing the Board with a Long Range Planning update, including LUPPU.
- March 18, 2014 (Item 6, File 11-1441): Community Development Agency, Long Range Planning, recommending the Board approve and authorize the Purchasing Agent to sign Amendment III to Agreement for Services No. 396-S1211 with Kimley-Horn and Associates, Inc. for Travel Demand Model creation and update services, expanding the scope of work and increasing the not-to-exceed amount of the Agreement by \$16,000 for a new not-to-exceed total amount of \$501,477, and extending the term of the Agreement to December 31, 2015, contingent upon review and approval of the Amendment by County Counsel and Risk Management.
- April 8, 2014 (Item 12, File 14-0245): Community Development Agency, Long Range Planning recommending the Board approve Scenario 3 growth forecast as the starting point for initiating the Major 5-Year Capital Improvement Program and Traffic Impact Mitigation Fee Update.
- April 15, 2014 (Item 18, File 13-1218): Community Development Agency, Long Range Planning providing the Board with a Long Range Planning update, including LUPPU.
- June 17, 2014 (Item 34, File 13-1218): Community Development Agency, Long Range Planning providing the Board with a Long Range Planning update, including LUPPU.

Upon completion of the TDM, it was peer reviewed by Kittelson and Associates Inc., Caltrans, and SACOG. On May 22, 2013, Kittelson and Associates provided comments which were used to refine the TDM. Caltrans provided a letter of concurrency dated September 22, 2014 which states that the El Dorado County TDM conforms to the state-of-practice in travel demand modeling; meets overall traffic assignment validation standards suggested by the Federal Highway Administration (FHWA) and Caltrans; and is an appropriate tool for the County's long range planning purposes. SACOG provided a letter of concurrency dated February 3, 2014 which states that SACOG concurs that the El Dorado County TDM conforms to state-of-practice in subarea travel demand modeling; the TDM model meets traffic assignment validation standards suggested by FHWA and Caltrans; and the TDM is an appropriate tool for the County's intended purposes.

El Dorado County staff met several times with both SACOG and Caltrans prior to receipt of the concurrency letter, and continue to meet with both agencies in the continuous effort of keeping the model up to date.

### ***TDM Jobs and Housing Forecast***

The County received comments on the TDM, including a claim by a member of the public that the County is forecasting too many new future jobs in the County, and therefore the TDM is taking too much "credit" for reduced trips due to relatively fewer people driving outside the County for employment. The County's TDM reflects forecasts of *fewer* jobs and *more* housing than other regional modeling efforts that include the County, such as SACOG's Metropolitan Transportation Plan/Sustainable Communities Strategy (MTP/SCS). In March 2015, staff reviewed and provided comments to SACOG on the 2016 MTP/SCS Update regarding the jobs/housing projections for El Dorado County as used in SACOG's Travel Demand Model. In a letter dated March 10, 2015 to SACOG, County staff noted differences between SACOG and the County's jobs/housing forecasts out to the year 2035 (See Attachment 4 to this memo).

## **E. INDEPENDENCE OF THE TGPA-ZOU AS IT RELATES TO OTHER COUNTY PROJECT(S) AND TIMING OF GENERAL PLAN IMPLEMENTATION**

### ***Relationship of TGPA-ZOU to other County Projects***

Comments received suggested that identified environmental impacts of the Project might have a significant effect on other County projects (in various stages of completion) and therefore, environmental review of other County projects should not be separated from the environmental review completed for the TGPA-ZOU. Neither the TGPA-ZOU Project nor other land use standards/regulations under development (e.g., biological policies review) is dependent on the adoption of the other, as each project satisfies the legal test of "independent utility" under CEQA, allowing projects to be evaluated separately if each has substantial "utility" irrespective of the other's approval (*Planning and Conservation League v. Castaic Lake Water Agency* (2009) 180 Cal.App.4th 210, 237). For example, completion



and approval of the biological policies review is not necessary for approval of the TGPA-ZOU. Similarly, the biological policies review is not dependent upon approval of the TGPA-ZOU. Simply put, the TGPA-ZOU is legally considered an independent project with an independent outcome. The Project EIR states:

“The other land use standards (including the biological policies review) are proceeding on separate schedules from the TGPA-ZOU. These proposed standards are in the process of being drafted and are not ready for CEQA review. Government Code Section 65860, which provides that a zoning ordinance must be revised to conform to the General Plan "within a reasonable time" of General Plan adoption, clearly contemplates that the ordinances necessary to implement the General Plan need not be adopted at the same time as the General Plan. The El Dorado County General Plan's Implementation Plan sets out an ambitious list of regulations and standards that will need to be prepared in order to fully implement the General Plan. The County has been diligently progressing toward completing the list since adoption of the General Plan in 2004, as described in the June 2014 "2013 General Plan Annual Progress Report" presented to the Board by the Community Development Agency.

Both budget and staff limitations preclude the County from preparing and adopting all of the items identified in the [General Plan] Implementation Plan at the same time. In addition, the varying levels of public interest and controversy over different aspects of the Implementation Plan have resulted in some proposed programs, such as the proposed oak woodlands preservation fee program that was the subject of litigation, taking much longer than expected (FEIR, PP. 8-15 and 8-16).”

### ***Timing of Implementation***

The adopted General Plan includes implementation actions that identify and prioritize necessary actions. As stated above, because not all of the policies and actions in the adopted General Plan can be implemented immediately, there will be a lag between the time a General Plan is adopted and the time each individual action can be accomplished. This would be true for any substantive General Plan update in any jurisdiction. Determining which implementation actions are higher priority than others is a fundamental policy decision the Board must make as a part of its deliberations. Numerous public hearings since the adoption of the General Plan in 2004 have been held by the Board to receive public input, necessary to assist the Board in determining implementation priorities. Balancing among factors such as the degree of environmental benefit, cost to the County (including staff time), costs to applicants, and effects on other General Plan goals and objectives were considered.

### ***Zoning Ordinance Sections Not Included in the ZOU***

Project implementation will include the integration of the following sections of the existing Zoning Ordinance that were not included in the Project:

- **Public Noticing** - Sections 130.04.015, 130.10.020, 130.10.040, 140.22.200
- **Parcel Size Exception** - Sections 130.14.110, 130.14.120
- **Medical Marijuana** - Sections 130.14.250 and 130.14.260,
- **Signs** - Chapter 130.16
- **Airport Safety (-AA) District** - Chapter 130.38

These sections are part of the current Zoning Ordinance and are not being amended as part of the ZOU. If the Project is approved by the Board of Supervisors, cross-references to and within these sections will require minor clean-up in the draft ZOU as shown on the Errata Sheet Post-September 2, 2015. In order to alleviate any confusion during the post-adoption implementation period, an interim guide has been developed for Development Services staff that provides detailed instructions on how to address any inconsistencies between each of the noted sections and the adopted ZOU until such time as the full integration of these sections occurs. These interim guidelines are referred to by staff as the “crosswalk.” (*See Attachment 2 to this memo*). The “Crosswalk” includes Zone references based on the mapping criteria discussed during the joint Board/Planning Commission weeklong workshop July 16-20, 2012 (*See Legistar File No. 12-0837, Attachment 4A*). This mapping criteria was used to update Table 2-4 (General Plan Land Use Designation and Zoning District Consistency Matrix). As part of any post-adoption follow-up or clean-up, these sections will be integrated into the adopted Zoning Ordinance framework and format.

## **5. BOARD ACTION**

The Board is responsible for certifying the FEIR, making the CEQA Findings of Fact, adopting the CEQA Statement of Overriding Considerations, and adopting the MMP. The action of certifying the EIR does *not* approve or deny the Project; it finds that the EIR adequately analyzed the Project as described in the Project Description. The CEQA document must be certified before the Project is approved.

As the County’s legislative body, the Board is responsible for project adoption and may consider a range of action(s) on the Project including, but not limited to: 1) approval of the Project as scoped, 2) approval of the Project with the revisions recommended by the Planning Commission and/or as deemed necessary by the Board, 3) selective approval of specific Project components, 4) revisions to the Project outside of the scope of the FEIR, or 5) denial of the Project. If the Board ultimately wants to consider revisions to the Project that are outside of the scope of the project analyzed in the FEIR, additional environmental review may be required.

Staff recommends that the Board take the following actions as recommended by the Planning Commission as shown on Attachments 18A and 18B, with the following:

1. Exclude Planning Commission recommended revisions listed as numbers 6, 15, and 18 on Attachment 18B; and
2. Include revisions to Mixed Use Design Standards and Guidelines and Shingle Springs section in the Mixed Use Design Manual as shown on pages 12 and 13 of this memo; and
3. Include the Errata Sheet dated August 27, 2015 (*See Legistar File No. 11-0356, Attachment 16M*) as revised (*See Legistar File No. 11-0356, Attachment 18H & 18I*) which includes minor revisions to the FEIR Response to Comment O-1-14 and O-1-451, additional clean-up/typo items identified during the Planning Commission Hearing on August 27, 2015 and September 2, 2015, and items related to Zoning Ordinance sections not included in the Project as outlined on page 25 of this memo.

***Attachments to this Memo***

Attachment 1 - Memo to File dated October 13, 2015

Attachment 2 - Post-Adoption Zoning Ordinance Interim Implementation “Crosswalk”

Attachment 3 - TGPA-ZOU Related Legistar Files & Publicly Noticed Items

Attachment 4 - Letter dated March 10, 2015 from David Defanti to SACOG

Attachment 5 - Letter dated October 1, 2015 from the Governor’s Office of Planning and Research (OPR)

Attachment 6 - Letter dated October 12, 2015 from Steven Pedretti to OPR

***Legistar File No. 11-0356 Attachments***

18A Planning Commission Minutes of September 2, 2015

18B Planning Commission Recommendation on TGPA-ZOU Project, September 2, 2015

18H Errata Sheet August 27, 2015 Revised November 10, 2015 (with Track Changes)

18I Errata Sheet August 27, 2015 Revised November 10, 2015 (without Track Changes)

18J County Zoning Map

9C Planning Commission Staff Report dated July 28, 2014

11A Technical Memorandum No. 1 dated August 8, 2014 (Key Project Components)

16A Technical Memorandum No. 2 dated August 27, 2015 (Preparing Final Recommendations...)”)

16B Exhibit A - Draft Resolution “Certifying the Final Environmental Impact Report...”

16C Exhibit A-1 - Draft CEQA Findings of Fact

16D Exhibit A-2 - Draft CEQA Statement of Overriding Considerations...”

16E Exhibit B - Draft Resolution “Adopting a Targeted General Plan Amendment...”

16F Exhibit C - Draft Resolution “Adoption of Mixed-Use Design Standards and Guidelines”

16G Exhibit D - Draft Resolution “Adoption of Landscaping and Irrigation Standards”

16H Exhibit E - Draft Resolution “Adoption of Outdoor Lighting Standards”

- 16I Exhibit F - Draft Resolution "Adoption of Mobile Home Park Design Standards"
- 16J Exhibit G - Draft Resolution "Adoption of Research and Development Zone Design Standards"
- 16K Exhibit H - Draft Resolution "Adoption of Parking and Loading Standards"
- 16L Exhibit I - CEQA Mitigation Monitoring Plan
- 16M Exhibit J - Errata Sheet dated August 27, 2015
- 16N Exhibit K - Draft Zoning Ordinance Update dated 03/24/14
- 16Y Traffic Information Memo dated September 1, 2015

***Legistar File No. 12-0837 Attachments***

4A – Zoning Map Criteria May 25, 2012

***Referenced Supporting Documents***

TGPA-ZOU Project Webpage

[http://www.edcgov.us/LongRangePlanning/LandUse/TGPA-ZOU\\_Main.aspx](http://www.edcgov.us/LongRangePlanning/LandUse/TGPA-ZOU_Main.aspx)

TGPA/ZOU Final Program Environmental Impact Report

[http://www.edcgov.us/Government/LongRangePlanning/LandUse/TGPA-ZOU\\_FEIR.aspx](http://www.edcgov.us/Government/LongRangePlanning/LandUse/TGPA-ZOU_FEIR.aspx)

2004 General Plan Adopted July 19, 2004

[http://www.edcgov.us/Government/Planning/Adopted\\_General\\_Plan.aspx](http://www.edcgov.us/Government/Planning/Adopted_General_Plan.aspx)

2004 General Plan Final Environmental Impact Report

[http://www.edcgov.us/Government/Planning/Final\\_Environmental\\_Impact\\_Report\\_\(EIR\).aspx](http://www.edcgov.us/Government/Planning/Final_Environmental_Impact_Report_(EIR).aspx)

2004 General Plan Findings of Fact

[http://www.edcgov.us/Government/Planning/StaffReport7-2004/Att1\\_ExB\\_Findings.aspx](http://www.edcgov.us/Government/Planning/StaffReport7-2004/Att1_ExB_Findings.aspx)

2004 General Plan Statement of Overriding Considerations

[http://www.edcgov.us/Government/Planning/StaffReport7-2004/Att1\\_ExA\\_Overrides.aspx](http://www.edcgov.us/Government/Planning/StaffReport7-2004/Att1_ExA_Overrides.aspx)

Travel Demand Model webpage

[http://www.edcgov.us/Government/LongRangePlanning/LandUse/Traffic\\_Demand\\_Model.aspx](http://www.edcgov.us/Government/LongRangePlanning/LandUse/Traffic_Demand_Model.aspx)

Resolution of Intention (ROI) 44-2008

<http://www.edcgov.us/Government/LongRangePlanning/LandUse/SupportingDocuments/Reso-ZOU-44-2008-adopted-02-12-2008.aspx>

ROI 2006-04

[http://www.edcgov.us/Government/LongRangePlanning/LandUse/SupportingDocuments/ROI\\_2006-04\\_adopted\\_08-10-2006.aspx](http://www.edcgov.us/Government/LongRangePlanning/LandUse/SupportingDocuments/ROI_2006-04_adopted_08-10-2006.aspx)

ROI 44-2008

<http://www.edcgov.us/Government/LongRangePlanning/LandUse/SupportingDocuments/Reso-ZOU-44-2008-adopted-02-12-2008.aspx>

ROI 274-2008

<http://www.edcgov.us/Government/LongRangePlanning/LandUse/SupportingDocuments/ROI-274-2008-adopted-10-07-2008.aspx>

ROI 110-2009

[http://www.edcgov.us/Government/LongRangePlanning/LandUse/SupportingDocuments/Reso\\_110-2009\\_adopted\\_05-19-2009.aspx](http://www.edcgov.us/Government/LongRangePlanning/LandUse/SupportingDocuments/Reso_110-2009_adopted_05-19-2009.aspx)

ROI 179-2010

<http://www.edcgov.us/Government/LongRangePlanning/LandUse/SupportingDocuments/ROI-179-2010-adopted-12-07-2010.aspx>

ROI 013-2011

[http://www.edcgov.us/Government/LongRangePlanning/LandUse/SupportingDocuments/Reso\\_013-2011\\_adopted\\_01-25-2011.aspx](http://www.edcgov.us/Government/LongRangePlanning/LandUse/SupportingDocuments/Reso_013-2011_adopted_01-25-2011.aspx)

ROI 182-2011

[http://www.edcgov.us/Government/LongRangePlanning/LandUse/SupportingDocuments/Reso\\_182-2011\\_adopted\\_11-14-2011.aspx](http://www.edcgov.us/Government/LongRangePlanning/LandUse/SupportingDocuments/Reso_182-2011_adopted_11-14-2011.aspx)

ROI 183-2011

[http://www.edcgov.us/Government/LongRangePlanning/LandUse/SupportingDocuments/Reso\\_183-2011\\_adopted\\_11-14-2011.aspx](http://www.edcgov.us/Government/LongRangePlanning/LandUse/SupportingDocuments/Reso_183-2011_adopted_11-14-2011.aspx)

ROI 184-2011

[http://www.edcgov.us/Government/LongRangePlanning/LandUse/SupportingDocuments/Reso\\_184-2011\\_adopted\\_11-14-2011.aspx](http://www.edcgov.us/Government/LongRangePlanning/LandUse/SupportingDocuments/Reso_184-2011_adopted_11-14-2011.aspx)

Writ of Mandate (Judgment entered on July 19, 1999)

<http://www.edcgov.us/Government/Planning/GeneralPlan/WritOfMandate.aspx>

Superior Court ruling on Writ of Mandate (Dated August 31, 2005)

<http://www.edcgov.us/Government/Planning/GeneralPlan/GeneralPlanDecision09012005.aspx>



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## COMMUNITY DEVELOPMENT AGENCY LONG RANGE PLANNING DIVISION

### INTEROFFICE MEMORANDUM

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Date: October 13, 2015  
To: ZOU Project File  
From: Shawna Purvines, Principal Planner  
**Subject: Zoning Ordinance Update – Post-Adoption Implementation**

In preparation for the upcoming Board adoption hearing on the proposed Zoning Ordinance Update (ZOU), staff has identified the following Title 130 sections not included in the ZOU project scope:

1. **Public Noticing** – 130.04.015, 130.10.020, 130.10.040, 130.22.200
2. **Parcel Size Exception** – 130.14.110 and 130.14.120
3. **Medical Marijuana** – 130.14.250, 130.14.260
4. **Airport Safety** – Chapter 130.38
5. **Signs** – Chapter 130.16

During the interim period following the adoption of the ZOU, an Interim Implementation “Crosswalk” has been prepared for internal use by Development Services staff to use as an interim guide for these sections noted above. The “Crosswalk” provides detailed instructions to staff for how to address each of these sections during the post-adoption implementation period (see attached). The “Crosswalk” includes Zone references based on the mapping criteria discussed during the joint Board/Planning Commission weeklong workshop July 16-20, 2012 (Legistar File No. 12-0837, Attachment 4A). This mapping criteria was used to update Table 2-4 (General Plan Land Use Designation and Zoning District Consistency Matrix) included in the TGPA-ZOU EIR and in the draft Resolution “Adopting a Targeted General Plan Amendment...” presented to the Planning Commission on August 27, 2015 (Legistar File No. 11-0356, Attachment 16E).

Below is an outline of these sections and minor revisions to the ZOU (as listed on the Errata Sheet Post-September 2, 2015). These revisions are necessary for consistency with these sections that are unchanged by the ZOU. The Interim Implementation “Crosswalk” is provided below and will be utilized following adoption of the ZOU. As part of any post-adoption follow-up or clean-up, these sections will be integrated into the adopted Zoning Ordinance framework and format.

#### 1. Public Noticing

On September 15, 2015, the Board approved an amendment to OR 14-0001 which included amending the following sections in the existing Zoning Ordinance:

- Sec. 130.04.015 – Notice requirements and procedure
- Sec. 130.10.020 – Commission hearing
- Sec. 130.10.040 – Board hearing
- Sec. 130.22.200 – Notice of hearings

In the proposed ZOU, these sections are applicable to Section 130.51.050 (Public Notice). Staff recommends striking the existing language in this section in the ZOU, and adding references to see existing code sections as noted below:

**130.51.050 Public Notice Reserved**

~~Notice of public hearings or staff level review with notice procedures shall be provided as set forth in California Government Code Section 65090 et seq., except that notice shall be provided to owners of real property, as shown on the latest equalized assessment roll, within 500 feet of the real property that is the subject of the public hearing or staff level review.~~

*See existing Title 130 (Zoning Ordinance) for the following sections. On September 15, 2015, the Board adopted OR14-001 which included amendments to:*

Sec. 130.04.015 – Notice requirements and procedure

Sec. 130.10.020 – Commission hearing

Sec. 130.10.040 – Board hearing

Sec. 130.22.200 – Notice of hearings

## **2. Parcel Size Exceptions**

**Sec. 130.14.110. - Parcel size exception—Parcels conveyed to government agency.**

- A. The minimum parcel size as set forth in each of the zone district regulations provided for in this subpart shall be inapplicable to parcels created for the singular purpose of conveyance, dedication or transfer of the parcel to a governmental agency, public entity or public utility for such uses by the agency, entity or utility as may be authorized by law.
- B. At such time as a parcel created under the provisions of Subsection A of this section as conveyed or otherwise transferred to an entity other than a governmental agency, public entity or public utility, then the parcel shall be required to meet applicable minimum size regulations.

**Sec. 130.14.120. - Same—Generally.**

In the following zone districts: RE 5, RE 10, A, AE (where the property is not under a Williamson Act contract), RA 20, RA 40, RA 60, RA 80, RA 160, PA and SA-10, an existing parcel may be subdivided in such a way that one new parcel of less size than is required in the prevailing zone regulations is created within each subdivision provided the following conditions exist:

- A. Either the parcel is shown on the County tax roll or recorded deed as a separate parcel, is described as a fractional division of a section and a subsequent survey of the parcel shows it to be a maximum of ten percent less than the acreage indicated on that tax roll; or
- B. The parcel is shown on the 1979 County tax roll as a separate parcel and the roll shows it to be a maximum of ten percent less than the acreage required to make even divisions into the minimum parcel size to which it is zoned; or
- C. The parcel is shown on the 1979 County tax roll as a separate parcel and a survey shows it to be a maximum of ten percent less than the acreage required to make even divisions into the minimum parcel size to which it is zoned; and both of the following:
  - 1. The smallest parcel proposed to be created is no less than 75 percent of the minimum size required by the applicable zone but, in no case shall a parcel be created less than 4.5 acres when groundwater dependant; and
  - 2. All other parcels proposed to be created are no less than the minimum required by the applicable zone or no more than one-tenth of an acre larger than the minimum.

No parcel size exception shall be granted where the exception would conflict with general plan policies or provisions of this title that require buffers to adjacent parcels.

Staff recommends adding language in the ZOU to Reserved Section 130.30.080 in Chapter 130.30 (General Development Standards) as follows:

**130.30.080 Parcel Size Exception *Reserved***

*See existing Title 130 (Zoning Ordinance), Sec. 130.14.110 (Parcel size exception–Parcels conveyed to government agency) and Section 130.13.120 (Same–Generally).*

**3. Medical Marijuana**

Staff recommends adding a chapter to Article 3 (Site Planning and Project Design Standards) in the ZOU with the following language:

**CHAPTER 130.39 – MEDICAL MARIJUANA *Reserved***

*See existing Title 130, ARTICLE III, Section 130.14.250 (Distribution) and Section 130.14.260 (Outdoor Medical Marijuana).*



#### 4. Airport Safety (-AA) District

Currently **Chapter 130.38** of the existing Zoning Ordinance. On December 16, 2014, the Board approved amending this code section for consistency with the El Dorado County Airport Land Use Compatibility Plan (ALUCP).

[https://www.municode.com/library/ca/el\\_dorado\\_county/codes/code\\_of\\_ordinances?nodeId=PTBLADECO\\_TIT130ZO\\_CH130.38AISAAADI](https://www.municode.com/library/ca/el_dorado_county/codes/code_of_ordinances?nodeId=PTBLADECO_TIT130ZO_CH130.38AISAAADI)

The proposed ZOU has the old code for Airport Safety in Section 130.27.020 and notes Chapter 130.38 "Oak Woodlands Conservation *Removed At This Time*". Staff recommends in the proposed ZOU to strikeout Section 130.27.020 and note this section as "*Reserved*" and to modify Chapter 130.38 section title as follows:

**CHAPTER 130.38 – AIRPORT SAFETY (-AA) DISTRICT *RESERVED***~~OAK WOODLANDS CONSERVATION REMOVED AT THIS TIME~~

SEE EXISTING TITLE 130, CHAPTER 130.38 FOR UPDATED AIRPORT SAFETY (AA) DISTRICT CODE ADOPTED 12/16/2014.

#### 5. Sign Ordinance Update

Currently **Chapter 130.16** of the existing Zoning Ordinance (Title 130). On July 28, 2015, the Board adopted a comprehensive update to Chapter 130.16. The new Sign Code became effective on August 27, 2015. Municode has not yet been updated. The adopted code is posted on the Sign Ordinance Update webpage:

[http://www.edcgov.us/LongRangePlanning/LandUse/Sign\\_Ordinance\\_Update.aspx](http://www.edcgov.us/LongRangePlanning/LandUse/Sign_Ordinance_Update.aspx)

The proposed ZOU notes Chapter 130.36 reserved for the Sign Ordinance and has references pointing to Chapter 130.36 throughout the proposed code. The Sign Ordinance also contains references to current Zone designations that are proposed to change in the ZOU. Staff recommends adding the following language under the Chapter 130.36 section title:

**CHAPTER 130.36 – SIGNS *RESERVED***

SEE EXISTING TITLE 130, CHAPTER 130.16 FOR UPDATED SIGN CODE ADOPTED 7/27/2015.

Staff also recommends the Errata sheet identify changing all references to Chapter 130.36 in the ZOU to Chapter 130.16.

Following the ZOU adoption, all Zone designations shown in the Ordinance will be updated and the references to Chapter 130.16 changed to Chapter 130.36.

Subject	Previous Zoning Ordinance / Code Reference	Interim Direction to Staff
<b>1. PUBLIC NOTICING</b>		
	<b>Sec. 130.04.015. - Notice requirements and procedure.</b> <i>[NOTE: This section was amended per OR 14-001 adopted on 9/15/15.]</i>	<u>References unchanged</u> ; Continue to reference Section 130.04.015 until further notice.
	<b>Sec. 130.10.020. - Commission hearing.</b> <i>[NOTE: This section was amended per OR 14-001 adopted on 9/15/15.]</i>	Continue to reference Section 130.10.020 until further notice.
	<b>Sec. 130.10.040. - Board hearing.</b> <i>[NOTE: This section was amended per OR 14-001 adopted on 9/15/15.]</i>	Continue to reference Section 130.10.040 until further notice.
	<b>Sec. 130.22.200. - Notice of hearings.</b> <i>[NOTE: This section was amended per OR 14-001 adopted on 9/15/15.]</i>	Continue to reference Section 130.22.200 until further notice.
<b>2. PARCEL SIZE EXCEPTION</b>		
	<b>Sec. 130.14.110. - Parcel size exception—Parcels conveyed to government agency.</b>	Continue to reference Section 130.14.110 until further notice.
	<b>Sec. 130.14.120. - Same—Generally. (applies to Parcel Size Exception)</b>	Continue to reference Section 130.14.120 until further notice.
<b>Section 130.14.120 New Zone Districts</b>	<b>Rural Lands (RL) Zone District</b>	Refer to RE-10 Zone District
	<b>Forest Resources (FR) Zone District</b>	Refer to Planned Agricultural (PA) Zone District
	<b>Agricultural Grazing (AG) Zone District</b>	Refer to Planned Agricultural (PA) Zone District
	<b>Limited Agriculture (LA) Zone District</b>	Refer to Planned Agricultural (PA) Zone District
<b>Section 130.14.120 Deleted Zones</b>	<b>Agricultural (A) Zone District</b>	Refer to Planned Agricultural (PA) Zone District
	<b>Exclusive Agricultural (AE) Zone District</b>	Refer to Planned Agricultural (PA) Zone District
	<b>Residential Agricultural (RA) Zone District</b>	Refer to RE-10 Zone District
	<b>Select Agricultural (SA) Zone District</b>	Refer to Planned Agricultural (PA) Zone District

Subject	Previous Zoning Ordinance / Code Reference	Interim Direction to Staff
<b>3. MEDICAL MARIJUANA</b>	<b>ARTICLE III. - MEDICAL MARIJUANA</b>	
	Sec. 130.14.250. - Distribution.	Continue to reference Section 130.14.250 until further notice.
	Sec. 130.14.260. - Outdoor medical marijuana.	Continue to reference Section 130.14.260 until further notice.
<b>Section 130.14.260.2.D.1 Cultivation Standards</b>		
<b>New Zone Districts</b>	Rural Lands (RL) Zone District	Refer to RE-10 Zone District
	Forest Resources (FR) Zone District	Refer to Planned Agricultural (PA) Zone District
	Agricultural Grazing (AG) Zone District	Refer to Planned Agricultural (PA) Zone District
	Limited Agriculture (LA) Zone District	Refer to RE-10 Zone District
<b>Deleted Zone Districts</b>	Agricultural (A) Zone District	Refer to Planned Agricultural (PA) Zone District
	Select Agricultural (SA) Zone District	Refer to Planned Agricultural (PA) Zone District
	Residential Agricultural (RA) Zone District	If 10 acres or less, refer to RE-5 Zone District
		If greater than 10 acres, refer to RE-10 Zone District
	Agricultural Preserve (AP) Zone District	Refer to Planned Agricultural (PA) Zone District
	Exclusive Agricultural (AE) Zone District	Refer to Planned Agricultural (PA) Zone District
<b>Section 130.14.260.2.D.5 Setbacks</b>		
<b>New Zone Districts</b>		
	Rural Lands (RL) Zone District	Refer to RE-10 Zone District
	Forest Resources (FR) Zone District	Refer to Planned Agricultural (PA) Zone District
	Agricultural Grazing (AG) Zone District	Refer to Planned Agricultural (PA) Zone District
	Limited Agriculture (LA) Zone District	Refer to RE-10 Zone District

Subject	Previous Zoning Ordinance / Code Reference	Interim Direction to Staff
<b>3. MEDICAL MARIJUANA (Continued)</b>	<b>ARTICLE III. - MEDICAL MARIJUANA</b>	
<b>Deleted Zone Districts</b>	<b>Agricultural (A) Zone District</b>	Refer to Planned Agricultural (PA) Zone District
	<b>Select Agricultural (SA) Zone District</b>	Refer to Planned Agricultural (PA) Zone District
	<b>Residential Agricultural (RA) Zone District</b>	If 10 acres or less, refer to RE-10 Zone District
		If greater than 10 acres, refer to Planned Agricultural (PA) Zone District
	<b>Agricultural Preserve (AP) Zone District</b>	Refer to Planned Agricultural (PA) Zone District
	<b>Exclusive Agricultural (AE) Zone District</b>	Refer to Planned Agricultural (PA) Zone District
<b>4. AIRPORT SAFETY</b>		
	<b>CHAPTER 130.38. - AIRPORT SAFETY (AA) DISTRICT</b> <i>(Amendments to this Chapter approved by BOS on 12/16/14, Reso 239-2014)</i>	Continue to reference Chapter 130.38 until further notice.

Subject	Previous Zoning Ordinance / Code Reference	Interim Direction to Staff
<b>5. SIGNS</b>	<b>CHAPTER 130.16. - SIGNS (New Sign Code adopted 7/28/15)</b>	<b>Continue to reference Chapter 130.16 (Signs) until further notice. Follow interim guidelines below for added or deleted zone districts resulting from the ZOU:</b>
<u>Table 130.16.070.1a: Community Region Area Signage Standards for Permanent On-Site Signs (Residential and Agricultural Zone Districts)</u>		
<b>New Zone Districts</b>	<b>Rural Lands (RL) Zone District</b>	Refer to RE-10 Sign Standards
	<b>Limited Agricultural (LA) Zone District</b>	Refer to PA Sign Standards
	<b>Agricultural Grazing (AG) Zone District</b>	Refer to AE Sign Standards
	<b>Forest Resources (FR) Zone District</b>	Refer to TPZ Sign Standards
<b>Deleted Zone Districts</b>	<b>Limited Multifamily (R2) Zone District</b>	Refer to RM Zone District Sign Standards
	<b>Tourist Residential (RT) Zone District</b>	Refer to RM Zone District Sign Standards
	<b>Residential Agricultural (RA) Zone District</b>	If 5 acres or less, refer to RE -5 Sign Standards
		If greater than 5 acres, refer to RE-10 Sign Standards
	<b>Unclassified (U) Zone District</b>	If 10 acres or less, refer to RE-5 Sign Standards
		If greater than 10 acres, refer to RE-10 Sign Standards.
	<b>Agricultural (A) Zone District</b>	If 10 acres or less, refer to RE-5 Sign Standards
		If 10 acres or greater, refer to Planned Agricultural (PA) Zone District Sign Standards
	<b>Select Agricultural (SA) Zone District</b>	Refer to Planned Agricultural (PA) Zone District Sign Standards
	<b>Agricultural Preserve (AP) Zone District</b>	Refer to Limited Agricultural (LA) Zone District Sign Standards
	<b>Exclusive Agricultural (AE) Zone District</b>	Refer to Planned Agricultural (PA) Zone District Sign Standards

Subject	Previous Zoning Ordinance / Code Reference	Interim Direction to Staff
<b>5. SIGNS (Continued)</b>	<b>CHAPTER 130.16. - SIGNS (New Sign Code adopted 7/28/15)</b>	<b>Continue to reference Chapter 130.16 (Signs) until further notice. Follow interim guidelines below for added or deleted zone districts resulting from the ZOU:</b>
<u>Table 130.16.070.1b</u> : Community Region Area Signage Standards for Permanent On-Site Signs (Commercial Zone Districts)		
<b>Deleted Zone Districts</b>	<b>Planned Commercial (CP) Zone District</b>	Refer to Commercial/General Commercial (C/CG) Zone District Sign Standards
<u>Table 130.16.070.1d</u> : Community Region Area Signage Standards for Permanent On-Site Signs (Miscellaneous Zone Districts)		
<b>Deleted Zone Districts</b>	<b>Mineral Resource (MR) Zone District</b>	Refer to TPZ Sign Standards in the ZOU
<u>Table 130.16.070.2a</u> : Rural Area Signage Standards for Permanent On-Site Signs (Residential and Agricultural Zones)		
<b>New Zone Districts</b>	<b>Rural Lands (RL) Zone District</b>	Refer to RE-10 Sign Standards
	<b>Limited Agricultural (LA) Zone District</b>	Refer to PA Sign Standards
	<b>Agricultural Grazing (AG) Zone District</b>	Refer to AE Sign Standards
	<b>Forest Resources (FR) Zone District</b>	Refer to PA Sign Standards

Subject	Previous Zoning Ordinance / Code Reference	Interim Direction to Staff
<b>5. SIGNS (Continued)</b>	<b>CHAPTER 130.16. - SIGNS (New Sign Code adopted 7/28/15)</b>	<b>Continue to reference Chapter 130.16 (Signs) until further notice. Follow interim guidelines below for added or deleted zone districts resulting from the ZOU:</b>
<b>Deleted Zone Districts</b>	<b>Limited Multifamily (R2) Zone District</b>	Refer to RM Zone District Sign Standards
	<b>Tourist Residential (RT) Zone District</b>	Refer to RM Zone District Sign Standards
	<b>Residential Agricultural (RA) Zone District</b>	If 5 acres or less, refer to RE -5 Sign Standards
		If greater than 5 acres, refer to RE-10 Sign Standards
	<b>Unclassified (U) Zone District</b>	If 10 acres or less, refer to RE-5 Sign Standards
		If greater than 10 acres, refer to RE-10 Sign Standards.
	<b>Agricultural (A) Zone District</b>	If 10 acres or less, refer to RE-5 Sign Standards
		If 10 acres or greater, refer to Planned Agricultural (PA) Zone District Sign Standards
	<b>Select Agricultural (SA) Zone District</b>	Refer to Planned Agricultural (PA) Zone District Sign Standards
	<b>Agricultural Preserve (AP) Zone District</b>	Refer to Limited Agricultural (LA) Zone District Sign Standards
	<b>Exclusive Agricultural (AE) Zone District</b>	Refer to Planned Agricultural (PA) Zone District Sign Standards
<b>Home Occupation Sign Standards: Agriculture and Resource Zones</b>	<b>Table 130.16.070.3: Reference to Home Occupation "Agriculture and Resource Zones"</b>	Refer to Article 2, Chapter 130.21 (Agricultural, Rural and Resource Zones - PA, LA, AG, TPZ, FR and RL)
<b>Signs: Land Use Permits</b>	<b>Chapter 130.22 (Land Use Permit Procedures)</b>	Refer to ZOU Chapter 130.52 - Permit Requirements, Procedures, Decisions and Appeals
<b>Signs: Variances</b>	<b>Chapter 130.22 (Land Use Permit Procedures - Article X [Variance])</b>	Refer to Chapter 130.52.070 (Permit Requirements, Procedures, Decisions and Appeals - Variance)

**TGPA-ZOU Related Legistar Files & Publicly Noticed Items (Revised 10/21/15)**

File ID	Subject	Count	2008	2009	2010	2011	2012	2013	2014	2015
08-0061	Dev Serv - ZO timeline	2	2/12-AD 3/4-AP							
09-0519	Camino-Pollock Pines Community Region	2	5/9-AP					12/17-AP		
N/A	EDAC/CEDAC Meetings	38		7/1 10/29 11/4 12/2 12/16	1/13 1/27 2/10 3/10 4/28 5/12 6/17 7/15 8/19 9/16 10/21 11/18	1/20 2/17 3/17 4/21 7/21 8/18 9/15 10/20 11/17	2/16 3/15 4/12 6/21 8/16 11/14 12/20	1/24 2/21 3/21 5/16 6/20		
N/A	Ag Commission - Ag District Boundaries	8		8/12 9/9 10/14 11/18	2/10 3/10 4/14 5/12					
10-0262	EDAC - 2010-11 goals and objectives	1			3/22-RF					
10-0480	EDAC - update on activities	1			5/10-RF					
10-1086	Dev Serv - ZO status report	1			10/18-RF					
11-0015	Dev Serv - ROI re: Ag Dist Boundaries	1				1/25-AD				
11-0019	EDAC - CEQA/Reg Reform	6				1/10-C 2/15-C 4/4-AD 7/25-AP 9/26-AP 10/24-RF				
11-0356	TGPA-ZOU (Main File)	18				4/4-C 4/12-C 7/25-AC 8/9-AC 9/26-AP 10/24-C 11/14-AD			2/25-AP PC Hearing (Aug 4, 6, 13, 14, 18, 20, 27)	PC Hearing 8/27-C 9/2-AP Board Hearing 11/10
11-1441	CDA-LRP - TDM - Kimley-Horn contract	5				12/19-AP	1/24-AP	3/5-AP 10/22-AP	3/18-AP	
12-0078	CAO-Draft 2013 Housing Element Update	1						3/25-AP		
12-0113	TGPA-ZOU - ICF contract	5					1/24-AP	3/5-AP	1/28-AP 10/21-AP	5/12-AP
12-0267	CAO-LUPPU Updates	20					2/27-AP 3/27-RF 4/16-C 5/1-AP 5/15-AP 6/26-RF 7/24-RF 8/20 9/25-RF 10/30 12/4-AP	1/28 2/26 3/25 4/23-RF 5/21-RF 6/27-RF 7/30-RF 8/27-RF 9/30		
N/A	Planning Commission - TGPA-ZOU Public Scoping Meeting (during NOP 45-day review period)	1					6/28			
12-0837	CAO-Draft ZO Legal Nonconforming Chapter	9					7/16 7/18 7/19 7/20 8/20-AP 9/18 9/24-AP 11/13-AP	2/5		
12-1443	CAO-Comm Dev Standards/ Guidelines Manual	1					12/4-AP			
13-0081	EDAC-Community Organization and Econ Dev Program	3						1/28 2/25-AP 3/25-AP		
CDAC13-012	Review 6/27/13 BOS workshop re Community Boundary Guidelines	1						6/20		
13-0782	CEDAC-LUPPU update	1						7/30		
CDAC13-039	LUPPU-Review 12/3/14 agenda item/video (File 13-1218)	1							1/23-RF	
13-0510	CDA-LRP - Comm Reg Boundary Lines	6						5/7 6/11-AP 6/27-AP 9/30-AP	12/9-AP	2/24-AP
13-0782	CEDAC-LUPPU	3						3/25-AP 6/27-RF 7/30-RF		
13-1218	CDA-LRP - LRP Update including LUPPU	8						10/29-AP 12/3-RF	1/28-AP 3/4-RF 4/15-RF 6/17-RF 8/26- C 9/9-RF	
14-0863	CDA-LRP - TGPA-ZOU Update	1							PC 6/26	
14-0830	CDA-LRP - TGPA-ZOU DEIR receive public comment	1							PC 7/10	
14-1094	Ag Commission-TGPA-ZOU receive public comment	1							AG 8/13	
14-1244	Ag Commission-Minutes of 8/13/14	1							AG 9/10-AP	
<b>TOTAL</b>		<b>147</b>	<b>3</b>	<b>9</b>	<b>19</b>	<b>24</b>	<b>30</b>	<b>34</b>	<b>23</b>	<b>5</b>

**Abbreviations:**

- AG Ag Commission
- PC Planning Commission
- EDAC Econ Dev Advisory Cmte
- AD Adopted
- AP Approved
- C Continued
- RF Receive & File

**Note: This list does not include other community meetings, presentations, or other public meetings to receive comments on the project scope and Draft EIR.**





# COMMUNITY DEVELOPMENT AGENCY

## LONG RANGE PLANNING

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2850 Fairlane Court, Placerville, CA 95667  
Phone (530) 621-4650, Fax (530) 642-0508

March 10, 2015

Michael McKeever  
Executive Director  
Sacramento Area Council of Governments  
1415 L Street, Suite 300  
Sacramento, CA 95814

**Subject: El Dorado County Long Range Planning Staff Comments on SACOG's 2016 MTP/SCS Update**

Thank you for the opportunity to review and comment on SACOG's 2016 MTP/SCS Update. Our Long Range Planning staff has been working closely with your team relating to baseline information for use in SACOG's and El Dorado County's Travel Demand Models. County staff has also been coordinating with the El Dorado County Transportation Commission to comment on the list of roadways for the MTP update.

We have found that the 2012 baseline information prepared by SACOG is largely consistent with the County's baseline data for the same year. We did find minor variations in both jobs and housing with the differences between the two models being near 3% or less, which is an acceptable margin given the difference of methodology used to gather the data to determine the baseline. The County and SACOG have agreed to continue working together to refine the methodologies and resulting data to reduce the differences, thereby further refining both agencies baseline data as it is frequently updated.

El Dorado County recognizes that SACOG's regional MTP/SCS Update must meet specific Federal and State requirements, including the balancing of region-wide transportation/circulation revenues and expenditures over the 25-year planning period and supporting attainment of air quality standards to meet regional federal air quality requirements. Therefore, the purpose of forecasting for a regional Council of Governments' MTP/SCS will be somewhat different than the requirement for planning at a local level. For example, local forecasting must be consistent with its adopted general plan, a requirement that a regional planning agency does not have to meet. Therefore it is expected that there will be differences between a local jurisdiction's forecast and a regional planning agency's forecast. To highlight the differences between El Dorado County's 2010-2035 forecast vs SACOG's 2012-2035 forecast, see Table 1 below:

Table 1: SACOG Projections (2012-2036) vs El Dorado County Projections (2010-2035)

	Jobs Growth Estimates				Housing Estimates (units)			
	SACOG		EDC		SACOG		EDC	
	# of Jobs	% Jobs	# of Jobs	% Jobs	# of Units	% Housing	# of Units	% Housing
<b>Rural Communities</b>	284	1.5%	3,344	20.9%	1,202	10.9%	4,375	25.0%
<b>Community Regions</b>	18,422	98.5%	12,689	79.1%	9,782	89.1%	13,125	75.0%
<b>Total</b>	18,706		16,033		10,984 (0.70% average annual growth rate)		17,500 (1.03% average annual growth rate)	

\*Excludes the Cities of Placerville and South Lake Tahoe

The difference in the growth rates between the County and SACOG is attributed to difference in timeframe, methodology and goals for forecasting as discussed above. Fundamentally, SACOG’s forecast is based on a requirement for regional distribution of growth that will assist with meeting the MTP/SCS goals and requirements. El Dorado County’s forecast is based on historical growth rates and consistency with achieving the goals and objectives of our adopted General Plan.

In addition, there is a significant difference in how SACOG and the County anticipate housing and job growth distribution. SACOG’s distribution is concentrated in the El Dorado Hills/Cameron Park area with very little forecasted outside of this area. For example, SACOG anticipates only approximately 60 new residential units and 20 new jobs on average annually outside the areas of El Dorado Hills and Cameron Park. The County’s forecasted growth (excluding Lake Tahoe and the City of Placerville) is distributed in a manner consistent with the County’s adopted General Plan goals, objectives and policies, and more consistent with historical development patterns.

In addition, the County assumes more new jobs in the rural areas. A major assumption of the County’s General Plan is that agriculture and timber industries will remain economically viable during time horizon of the Plan. The viability of these industries is critical to the maintenance of the County’s customs, culture, and economic stability. Therefore, the County anticipates there will be a need to accommodate a more balanced jobs/housing ratio in the rural areas to support this economic base.

We look forward to continuing to work with SACOG on the MTP/SCS. If further information is required from our agency, please feel free to call me at (530) 621-5342 or via e-mail at [david.defanti@edcgov.us](mailto:david.defanti@edcgov.us).

March 10, 2015  
EDC Comments on 2016 MTP/SCS Update  
Page 3 of 3

Sincerely,

A handwritten signature in black ink, appearing to read 'David Defanti', with a long horizontal stroke extending to the right.

David Defanti  
Assistant Director, Community Development Agency

c: Steve Pedretti, CDA Director  
Claudia Wade, CDA Long Range Planning Division  
Shawna Purvines, CDA Long Range Planning Division  
Natalie Porter, CDA Long Range Planning Division  
Kacey Lizon, SACOG  
Bruce Griesenbeck, SACOG  
Jennifer Hargrove, SACOG  
Sharon Scherzinger, EDCTC  
Woody Deloria, EDCTC



STATE OF CALIFORNIA  
**GOVERNOR'S OFFICE of PLANNING AND RESEARCH**



EDMUND G. BROWN JR.  
 GOVERNOR

KEN ALEX  
 DIRECTOR

October 1, 2015

**County of El Dorado**

Att: Kim Kerr, Community Development Agency Director  
 2850 Fairlane Court  
 Placerville, CA 95667

Dear Kim Kerr:

Pursuant to State statute, the Governor's Office of Planning and Research (OPR) is required to notify cities and counties with general plans that have not been revised within the last eight (8) years (Government Code section 65040.5(a)). Our records indicate that the County of El Dorado's General Plan has not been revised in the past eight (8) years or longer.

For purposes of this notification, a revision is considered to be a comprehensive update of at least five (5) of the seven (7) mandatory general plan elements, which have been adopted by the local legislative body. According to our records, the mandatory elements of the General Plan for {jurisdiction} were last updated during the years noted.

Land Use:	2004
Circulation:	2004
Housing:	2013
Conservation:	2004
Open Space:	2004
Safety:	2004
Noise:	2004

**If this information is incorrect**, please contact Adrienne Orilla at the Office of Planning & Research via email [info@opr.ca.gov](mailto:info@opr.ca.gov) so that we may update our records.

As part of our process to identify jurisdictions with general plans that have not been revised in eight (8) years, OPR surveyed local government planning agencies in the 2010 Annual Planning Survey for current information regarding their general plans. In addition, OPR reviewed General Plan Annual Progress Reports, public notices from the jurisdictions, environmental document filings, as well as websites of individual jurisdictions.

General plans that have not been revised within the past eight (8) years are not necessarily legally inadequate. However, the California Supreme Court has stated that local governments have an implied duty to keep their general plans current (*DeVita v. County of Napa*, 9 Cal. 4<sup>th</sup> 763 (1995)). Additionally, local governments must review and revise their general plans as often as they deem necessary or appropriate (Government Code section 65103(a)). The general plan statutes do not provide a mandatory minimum time frame for revision of elements, except for housing elements, which must be revised based on the schedule established in Government Code Section 65588. In addition, Government Code sections 65302 and 65302.1

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require certain information be included in general plan elements at the time a jurisdiction next revises its housing element.

Additionally, OPR is also required to report to the Attorney General, cities and counties with general plans that have not been revised in ten (10) years (Government Code section 65040.5(b)). We will report your jurisdiction to the Attorney General only if your general plan becomes 10-years old. If our records indicate that your general plan has not been revised in ten (10) years, we will report this information to the Attorney General in late July 2011.

**If you would like to make corrections to our records, please respond by October 30, 2015.** This will allow us to update our records prior to notifying the Attorney General of general plans that have not been revised in ten (10) years. If you have any questions or require additional information, please contact Adrienne Orilla at [info@opr.ca.gov](mailto:info@opr.ca.gov).

Sincerely,

A handwritten signature in black ink that reads "Ken Alex". The signature is written in a cursive, slightly slanted style.

Ken Alex  
Director





# COMMUNITY DEVELOPMENT AGENCY

## LONG RANGE PLANNING

2850 Fairlane Court, Placerville, CA 95667  
Phone (530) 621-4650, Fax (530) 642-0508

October 12, 2015

Ken Alex  
Director, Governor's Office of Planning and Research  
1400 10<sup>th</sup> Street  
Sacramento, CA 95812-3044

Mr. Alex:

We are in receipt of your letter, dated October 1, 2015, stating that the County's General Plan has not been revised within the last eight years (Government Code section 65040[a]) and that the Governor's Office of Planning and Research is required to report to the Attorney General any cities and counties with General Plans that have not been revised in ten years (Government Code section 65040.5[b]). The County's General Plan was last comprehensively updated in 2004.

El Dorado County is nearing the end of a comprehensive process initiated in 2011 that proposes targeted amendments to the General Plan (TGPA), a comprehensive update to the Zoning Ordinance (ZOU), and design standards and guidelines, including those for mixed use development (collectively known as the TGPA-ZOU). The Board of Supervisor's (Board) objectives for the TGPA-ZOU include: 1) reducing constraints to the development of moderately-priced housing, 2) supporting job creation, 3) capturing more sales tax revenues, 4) protecting and promoting agriculture and natural resources, and 5) meeting the requirements of Government Code 65860. The Board also recognized the project should include any revisions necessary to address recent changes in State law since the adoption of the General Plan in 2004.

The Final EIR prepared for the TGPA-ZOU was released in July 2015 and the Planning Commission hearing to consider the project concluded in September 2015. A Board hearing to consider the project is scheduled for November 2015. All project related information has been posted to the dedicated project website: [http://www.edcgov.us/LongRangePlanning/LandUse/TGPA-ZOU\\_Main.aspx](http://www.edcgov.us/LongRangePlanning/LandUse/TGPA-ZOU_Main.aspx).

If you have any questions, please contact Shawna Purvines, Principal Planner, at 530-621-5362 or [shawna.purvines@edcgov.us](mailto:shawna.purvines@edcgov.us).

Sincerely,

Steven M. Pedretti, Director  
Community Development Agency

cc: Board of Supervisors, El Dorado County  
Larry Combs, Interim Chief Administrative Officer  
Robyn Drivon, County Counsel  
Dave Defanti, Assistant Director, Community Development Agency  
Shawna Purvines, Principal Planner, Community Development Agency