



COUNTY OF EL DORADO, CALIFORNIA  
BOARD OF SUPERVISORS POLICY

Subject: GENERAL PLAN AMENDMENT INITIATION PROCESS	Policy Number TBD - DRAFT	Page Number: Page 1 of 6
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**BACKGROUND:**

The El Dorado County General Plan is the comprehensive, long-term plan for the physical development of the county. State planning law requires the County to develop, adopt and maintain a legally adequate general plan, and provides for periodic monitoring, update and amendment of the general plan. The El Dorado County General Plan implements State planning law by providing for periodic monitoring of development activity and adjustment of the development potential of properties or modification of Community Region and Rural Center boundaries as the County deems necessary.

On April 4, 2011, the County completed the first five-year review following adoption of the General Plan. The County assessed prior activity and determined that the basic General Plan Assumptions, Strategies, Concepts and Objectives were still generally valid, and that land-use amendments would not be needed at this time. The County identified a number of General Plan policy revisions that would reinforce certain priorities including creation of jobs, provision of housing affordable to moderate-income households, retention of sales tax revenue, promotion and protection of agriculture and compliance with revisions in state law. The County initiated a Targeted General Plan Amendment to address the identified policy revisions.

State planning law permits ~~general plan amendments~~General Plan Amendments to be initiated by the County or by a private party. A property owner may request a General Plan Amendment by submitting an application. Although a property owner has the right to submit amendment requests to the County, not all ~~are worthy of study and consideration by County staff and the decision makers~~such requests further the County's goals and priorities.

Considering the significant investment that is required to initiate and process a development application, the Board has determined a procedure is needed to ensure that applicants are fully informed of the potential issues and risks associated with ~~a~~ privately initiated General



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Plan ~~Amendment~~Amendments, applications for new Specific Plans and Specific Plan Amendments, and to provide a means to bring to an early conclusion those amendment applications which are inconsistent with the ~~major~~ goals and policies of the General Plan ~~or which are premature given the extent of current development activity.~~

This policy is issued to specify the manner in which amendments to the El Dorado County General Plan ~~amendments~~, Specific Plan Applications and Specific Plan Amendments sought by private parties shall be initiated pursuant to Government Code Section 65358, (general plan amendments), Government Code Section 65453 (specific plan amendments), and General Plan Policies [2.9.1.1 through 2.9.1.6.]

**POLICY:**

It is the policy of the Board of Supervisors (Board) that any privately-initiated application to amend the General Plan ~~amendment~~, adopt a new Specific Plan, and/or amend a Specific Plan amendment (herein collectively referred to as "Applications") proposing ~~to change the land use designation~~ to increase allowable residential densities shall require an "Initiation" hearing before the Board. The ~~"Initiation"~~initiation hearing is the first point of consideration by a decision maker and is intentionally limited in scope. The hearing shall focus on the fundamental question of whether the proposed ~~change to the General Plan is worthy of~~Application should proceed to further analysis based upon compliance with the ~~Criteria~~criteria described below in this section.

~~This is a limited decision and is neither an approval nor denial of the general plan amendment or development application. The Board will not discuss or consider the details of an accompanying development proposal, nor be swayed by the promise of a great development project.~~

~~The~~ "Initiation"initiation process allows the County to authorize an amendment



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~~application~~Application to proceed or to deny an ~~application for amendment~~Application which is ~~clearly~~ inconsistent with ~~major~~the goals and policies of the General Plan, ~~or premature in light of the overall implementation status of the General Plan and does not meet the criteria described herein.~~ It also allows for early public awareness and involvement in the process as a whole. The process is similar to that followed for General Plan amendments initiated by the County, which require adoption of a "Resolution of Intention" to formally initiate ~~the an~~ amendment.

Denial of an Application at the initiation hearing shall be without prejudice to resubmittal of a revised Application consistent with the criteria described herein.

Authorization to proceed with an Application does not constitute approval of the project nor guarantee a particular outcome when the project is later presented for final consideration.

This policy shall apply ~~both to general plan amendment, [specific plans and specific plan amendment]~~ applications only to Applications submitted after the effective date of this policy, ~~as well as applications submitted prior to, but not approved as of the effective date of the policy.~~

**"General Plan Amendment Initiation Process"**

~~An applicant~~Applicants shall submit a ~~written request to initiate a General Plan amendment~~complete application to the Community Development Agency. The ~~request~~completed application shall include, but not be limited to, the following items:

1. A description of the proposed project and General Plan Amendment ~~[specific plans and specific plan amendment]~~, Specific Plan, or Specific Plan Amendment, as applicable, including a discussion of the elements and policies to be amended, the reasons for the amendment, and compliance with the criteria below;



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2. Vicinity and Location Maps, ~~if land use changes are proposed;~~
3. Site plan(s) showing existing and proposed general plan land use designations for the subject property and surrounding properties;
4. Optional exhibits, such as photographs or aerial photographs.

~~A~~Once staff has determined that the application is complete, a staff report shall be prepared by staff and the ~~request~~Application shall be referred to the Board of Supervisors for a hearing ~~[within 60 days] from date of complete application~~ to evaluate whether the application complies with the criteria identified below. The County will strive to schedule this hearing within 60 days from the date staff determines the application is complete.

Notice of the hearing shall be provided in the manner required by Government Code section 65091 or as otherwise required by County Ordinance or Resolution.

**Criteria for Initiation of General Plan Amendments**

~~An application for General Plan amendment shall be referred to the Board for a hearing~~  
Applications shall be evaluated to ~~evaluate~~determine whether ~~the application~~it complies with the following criteria:

1. The ~~amendment request~~proposed Application is consistent with the ~~principal~~ goals and objectives of the ~~general plan~~General Plan; and
2. ~~The proposed amendment~~2. Public infrastructure, facilities and services are available or can be feasibly provided to serve the proposed project without adverse impact to existing or approved development; and
3. The Application meets one or more of the following goals and objectives:



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- A. Increases employment opportunities within El Dorado County;
- B. Promotes the development of housing affordable to moderate income households;
- C. Provides additional opportunities to retain retail sales and sales tax revenues within El Dorado County;
- D. Protects and enhances the agricultural and natural resource industries;
- ~~E. Is necessary to comply with changes in state or federal law; and;~~

~~3. Public infrastructure, facilities and services appear to be available to serve the proposed increase in density/intensity without adverse impact to other planned development consistent with the General Plan, or the additional public infrastructure, facilities and services can be feasibly be provided by the proposed development as part of the amendment process.~~

4. The Application is consistent with any applicable Board adopted community vision and implementation plan.

**Exemptions**

General Plan and Specific Plan amendments necessary to correct technical errors or mapping errors, to facilitate the development of qualified housing projects available to very low or low income households, to protect the public health and safety, or that propose to comply with the requirements of state or federal law increase allowable density/intensity by less than 50 dwelling units are exempt from the provisions of this policy, [other exemptions may include smaller projects such as project within areas less than 80 acres and/or increase fewer than 100 dwelling units].



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**SUNSET DATE POLICY REVIEW**: This Board Policy shall ~~expire on the earlier of the date the County provides notice be reviewed no less than annually to the public of commencement of the 2016 General Plan five year review cycle, or January 1, 2016. assess whether this policy is working effectively and as intended.~~

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