

Attachment 1

Summary of Planning Commission TGPA-ZOU Tentative Recommendations for Flagged Items, Public Hearing August 4-27, 2014

"Flagged" Project Item(s), Grouped by Key Component	Tentative Recommendation ^{1,2}	Identified Impact(s), If any, in 2004 General Plan EIR? ³	Identified Impact(s) in TGPA-ZOU FEIR? ^{3,5}	Different Impact from the 2004 General Plan EIR? ⁵
Items Related to TPZ-zoned lands:				
<p>Health Resorts and Retreat Centers on TPZ zoned lands</p> <ul style="list-style-type: none"> Sections 17.40.170, 17.40.350 and Table 17.21.020 in the ZOU MM AG-1a: Amend the ZOU to limit the size of proposed Health Resort and Retreat Centers. 	<p>Allow health resorts and retreat centers in TPZ zones substantially as proposed, <u>with</u> revisions to MM⁴ AG-1 - Place limits on Health Resorts and Retreat Centers similar to Bed and Breakfast Inns (ZOU Section 17.40.170.D) Campgrounds and Recreational Vehicle Parks (ZOU Section 17.40.100). Include above language modifications in ZOU Section 17.40.170 (E) and in 17.40.170 (E)(1) Remove "those" after "...home occupation in", Remove "...allowing residential uses" after "zones", add "Residential" after "...home occupation in"</p>	<p>Aesthetics (LTS); Ag Resources (SU); Land Use (SU); Biological Resources (SU)</p>	<p>Aesthetics (SU); Ag Resources (SU); Biological Resources (SU)</p>	<p>Yes (Aesthetics)</p>
<p>Industrial Uses on TPZ zoned lands</p> <ul style="list-style-type: none"> Section 17.40.350 and Table 17.21.020 in the ZOU MM AG-4: Amend proposed Table 17.21.020 to restrict incompatible uses from being located in the TPZ Zone. 	<p>Allow industrial uses on TPZ lands, <u>without</u> incorporation of MM AG-4. Retain in proposed Table 17.21.020 in the ZOU to allow industrial uses in TPZ with a CUP. New uses would require finding of compatibility pursuant to State law.</p>	<p>SU</p>	<p>Ag Resources (SU); Aesthetics (SU); Land Use (SU)</p>	<p>No</p>

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<p>OHV, Ski Areas, Public Utility Service Facilities on TPZ lands</p> <ul style="list-style-type: none"> Section 17.40.350 and Table 17.21.020 in the ZOU MM AG-4: Amend proposed Table 17.21.020 to restrict incompatible uses from being located in the TPZ Zone. 	<p>Allow OHV, Ski Areas, Public Utility Service Facilities on TPZ zoned lands <u>without</u> incorporation of MM AG-4, , allowing OHV, Ski Areas, Public Utility Service Facilities in TPZ with an approved CUP.</p>	<p>Ag Resources (LTS); Land Use (SU); Biological Resources (SU)</p>	<p>Ag Resources (SU); Land Use (SU); Biological Resources (SU)</p>	<p>Yes (Ag Resources)</p>
<p>Ranch Marketing on Ag and Resource zoned lands</p> <ul style="list-style-type: none"> Section 17.40.260 and Table 17.21.020 in the ZOU MM LU 4-b: Revise ZOU Section 17.40.260, Ranch Marketing, prior to adoption. 	<p>Allow Ranch Marketing on TPZ <u>with</u> incorporation of MM LU 4-b. Remove language: "within Agricultural Districts as identified on GP LUD" from language proposed to be added by LU 4-b. Clarify that Agricultural Commissioner would review only <u>new</u> uses for compatibility with TPZ. Amend Section 17.40.260.A.3 of the ZOU to clarify that <u>both</u> Ag Commissioner and Agricultural Commission would need to review proposed new uses.</p>	<p>Aesthetics (LTS); Land Use (LTS); Biological Resources (SU);</p>	<p>Aesthetics (SU); Land Use (SU); Biological Resources (SU);</p>	<p>Yes (Aesthetics, Land Use)</p>
<p>Outdoor Lighting on TPZ zoned lands</p> <ul style="list-style-type: none"> Chapter 17.34 and Section 17.40.170 in the ZOU MM AES-4: Revise ZOU Chapter 17.34 and Section 17.40.170 (light shielding) 	<p>Allow new outdoor lighting <u>without</u> MM AES-4, which would have required additional restrictions to outdoor lighting.</p>	<p>Aesthetics (LTS)</p>	<p>Aesthetics (SU)</p>	<p>Yes (Aesthetics)</p>

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Items Related to Agricultural/Rural Lands (Non - TPZ):				
Outdoor Lighting in rural and agricultural zones <ul style="list-style-type: none"> ZOU Chapter 17.34 and Section 17.40.170 AES-4: Revise ZOU Chapter 17.34 and Section 17.40.170 (light shielding) 	Allow new outdoor lighting <u>without</u> MM AES-4, which would have required additional restrictions to outdoor lighting for ag and timber resource lodging, guest ranches, ag homestays and ranch marketing activities.	Aesthetics (LTS)	Aesthetics (SU)	Yes (Aesthetics)
Expanded Ranch Marketing and Rural Commerce, including Health Resorts and Retreat Centers <ul style="list-style-type: none"> ZOU Sections 17.40.260 and 17.40.170 MM AG-1a: Amend the ZOU to limit the size of proposed Health Resort and Retreat Centers. MM BIO-1c: Limit music festivals and concerts MM BIO-2: Return site to pre-event condition. 	<ol style="list-style-type: none"> Approve expanded uses/activities on agricultural and rural lands as proposed, <u>with</u> incorporation of MM AG-1a, but <u>without</u> incorporation of MM's BIO-1c and BIO-2, <u>not</u> requiring additional restrictions regarding special status plant or animal species, and <u>deleting</u> the requirement to restore event sites to pre-event conditions. Consider amending Section 17.40.170 of the ZOU: RE-10 <u>not</u> to be considered a residential use for purposes of health resorts/retreat centers. 	Aesthetics (LTS); Ag Resources (LTS); Biological Resources (SU); Land Use (LTS);	Aesthetics (SU); Ag Resources (LTS); Biological Resources (SU); Land Use (SU)	Yes (Aesthetics, Land Use)

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Noise:				
Proposed changes to General Plan Policy 6.5.1.11, allowing short term construction-related noise increases	Modify proposed amendments to General Plan Policy 6.5.1.11 to clarify type, duration and scope of temporary noise increases as follows: Remove "not" after "...6-5 shall" and Consider adding "Unless otherwise allowed by the permit [or Director]" after "...federally recognized holidays"	SU	SU	No
Noise resulting from existing nonconforming OHV and animal keeping uses <ul style="list-style-type: none"> • ZOU Chapters 17.37, 17.61 and Table 17.37.060.1 	Staff to work with County Counsel and draft tentative General Plan amendments and/or changes to the ZOU to address these issues, including potential "sunset" provision(s) for existing nonconforming uses related to OHV and animal keeping. Staff to also review proposed changes for consistency with Title 6.	SU	SU	No
Noise conflicts resulting from (new) residential development adjacent to high-volume roadways and US Highway 50 <ul style="list-style-type: none"> • General Plan Policy 6.5.1.5 • ZOU Section 17.37.070 	Recommend to make minor language changes to the ZOU Section 17.37.070 (A) – Noise Reduction Measures for (New) Residential Development Along U. S. Highway 50. Consider adding additional language to encourage less intrusive noise mitigation (e.g. landscaped berms,	SU	SU	No

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	setbacks, etc.) along other high volume roadways, not just U.S. Highway 50.			
<p>Exemptions from noise regulations</p> <ul style="list-style-type: none"> ZOU Section 17.37.020 	<p>Suggested minor edits to proposed noise exemptions in the ZOU for language clarification, and for consistency with proposed changes to Policy 6.5.1.1 above including: Section 17.37.020 (D) – Noise Sources Exempt From the Standards of this Chapter - Add “and cutting of wood for non-commercial personal use”.</p> <p>Section 17.37.020 (G) – Noise Sources Exempt From the Standards of this Chapter Remove “religious gatherings”.</p> <p>Section 17.37.020 (K) – Noise Sources Exempt From the Standards of this Chapter Remove “Cutting of firewood for non-commercial personal use” (Language moved to Section 17.37.020 (D) above).</p>	SU	SU	No

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<p>Noise related to outdoor amplified music, not associated with ranch marketing or winery uses</p> <ul style="list-style-type: none"> • ZOU Chapter 17.37 (Noise Standards) • General Plan Policies 6.5.1.6, 6.5.1.7 (New proposed non-transportation noise sources) 	<p>Consider options to allow outdoor amplified music (e.g. Temporary Use Permit, administrative permit, exceptions for temporary uses, etc.)</p> <p><i>Note: Adding this item may require changes to the Project Description and further environmental review.</i></p>	SU	N/A	Further review may be required.
<p>Protection of Wetlands/Sensitive Riparian Habitat:</p>				
<p>Clarify wetland protection language in the ZOU (Section 17.30.030.G.5.a) to clarify allowed uses/structures within defined riparian areas.</p>	<p>Approve entire component as proposed, with revisions to draft ZOU language as shown: "The uses, and structures and activities allowed in the applicable zones are allowed within riparian areas with an approved Minor Use Permit"</p>	Biological Resources (SU)	Biological Resources (SU)	No
<p>State Compliance: (Infill Development/Opportunity Areas)</p>	<p>Approve related General Plan amendments and ZOU, as applicable, with the addition of language: "recycled water" to proposed General Plan implementation measures regarding infill development (Implementation Measure "a" of Proposed Policy 2.4.1.5)</p>	SU	SU	No

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Planned Development, Density Bonus and 30 Percent Open Space				
Consider adding a new General Plan policy 2.2.5.23, and ZOU revision, to require all residential subdivisions on HDR - designated lands (R1 and R20K zones) provide 30 percent open space. Also proposed are language changes in the ZOU to clarify the criteria for allowing improved open space (unfenced private yards, or other alternatives) to substitute for up to 50% of the required common open space.	Review draft changes to proposed General Plan Policy 2.2.5.23 and ZOU Sections 17.30.080 and 17.28.050.B. Defer final recommendation until after review of the final EIR and County responses to public comments regarding proposed amendments to this component.	SU	No - Not expressly analyzed in EIR	Yes – may or may not be any more adverse.
<p>Staff notes: Impact probably no worse than disclosed in TGPA/ZOU EIR. However, this proposal was not expressly analyzed in the EIR. By requiring a substantial portion of the sites to remain in open space, this could reduce the impact of new development somewhat. Areas of particular reduction – biological resources, cultural resources, and hydrology – relate to simply limiting the amount of land that would be disturbed. However, where the subdivision involves extensive grading in preparation, the change would result in no reduction. HDR isn't particularly high density: the smallest lots would be around 8,000 sq ft in area. But, the 30% open space requirement would reduce lots size to around 4,000 sq ft and could reduce aesthetic impacts somewhat at full 5 du/ac density, except where the subdivision would involve grading (loss of natural context still occurs). The amendment is different than the intent of the ROIs and project objectives, which was to modify the existing standard, but not expand its application for flexibility in meeting moderate and affordable housing needs. This proposal would expand the application of the 30% open space requirement beyond "–PD" designated sites.</p>				

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New Rural Commercial (CRU) Zone				
Consider further options to modify the ZOU, allowing commercial uses in the Rural Region.	<p>Add language to definition of CRU Zone District to include "support of residential uses" to Section 17.22.010. Consider other commercial zones, other than CRU, to be allowed in the Rural Region.</p> <p>Section 17.22.010 (C) – Commercial Zones- Establishment and Applicability (With appropriate findings) Consider any of the (seven) commercial zones as potentially compatible with commercial projects in the Rural Region, not limiting potential commercial projects to the Rural Commercial [CRU] Zone).</p>	N/A	Commercial Zones, other than CRU not contemplated in FEIR	Yes
<p>Staff Notes: The project did not contemplate commercial zones, other than CRU in the Rural Regions. Greater impact than described in the TGPA/ZOU EIR. Potential for significant new aesthetics, air quality, traffic (localized), noise, and water supply impacts. Outside the scope of the project objectives. Commercial zones, other than CRU are not related to ranch marketing or other changes to encourage retention of agriculture. Also, not consistent with overall GP policies relating to containing most development in the CRs and RCs.</p>				

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Mixed Use Design (MXD) Manual				
Clarify the intent of the MXD Manual	Modify the document to differentiate between "guidelines" and "standards": Standards are to be required for Mixed Use projects, as referenced in the ZOU, but be voluntary for non-Mixed Use projects.	N/A	None- This would not change the EIR analysis or conclusions	N/A
Bass Lake Rezones				
Consider amending the proposed General Plan consistency rezone for a single parcel adjacent to the Bass Lake Park area (APN 115-400-12) from proposed Recreational Facility – High (RFH) to Recreational Facility – Low (RFL)	Tentatively recommend changing the proposed RFH Zone to RFL, with advisory to BOS that additional discussion is warranted prior to final action. <i>Note: Due to a confirmed mapping error on the draft Zoning Maps (identified parcel is not part of Bass Lake Park area), the RFL Zone District will be applied for consistency with the General Plan and Project objectives. This APN will be added to the County's list of mapping errata items for the Project.</i>	Not Reviewed	LTS	No

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