



RESOLUTION NO.

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO

RESOLUTION ADOPTING INTERIM GUIDELINES FOR INTERPRETING THE EL DORADO COUNTY GENERAL PLAN NECESSARY TO IMPLEMENT MEASURE E

WHEREAS, on June 7, 2016, the voters of El Dorado County passed Measure E “Initiative to Reinstate Measure Y’s Original Intent” amending General Plan Policies TC-Xa, TC-Xf, and TC-Xg; and

WHEREAS, the election results were certified by the Recorder-Clerk-Registrar of Voters on July 1, 2016; and

WHEREAS, the Board of Supervisors declared the results of the official canvass of the election on July 19, 2016; and

WHEREAS, implementation of the General Plan amendments to Policy TC-Xa, TC-Xf, and TC-Xg, require interpretation to resolve uncertainties and to be consistent with applicable policies, regulations, and laws; and

NOW, THEREFORE, BE IT RESOLVED that the El Dorado County Board of Supervisors adopts the following interim guidelines to implement Measure E:

Interpret TC-Xa 3 under accepted principles of statutory construction such that conditions of approval that require construction of road improvements under Policy TC-Xf, as revised by Measure E, will satisfy the requirements of TC-Xa 3.

Interpret TC-Xa 4 to define “County tax revenues” as follows: “Any tax revenue collected directly by the County or would otherwise be directly collected by the County that can be used at the County’s discretion.”

Interpret TC-Xa 6 in the same manner that Policy 10.2.2.3 has been interpreted, which is to say that fees created, collected and expended in compliance with the Mitigation Fee Act will satisfy the requirements of TC-Xa 6 and Policy 10.2.2.3.

Interpret TC-Xf under accepted principles of statutory construction to require conditions of approval on discretionary projects as follows:

Single family residential subdivisions of five or more parcels that worsen traffic on the County road system must (1) construct all necessary road improvements based on existing traffic plus traffic generated from the development plus forecasted traffic growth at 10-years from project submittal and (2) pay all applicable TIM Fees to address cumulative impacts.

All other discretionary projects that worsen traffic on the County road system must (1) construct all necessary road improvements based on existing traffic plus traffic generated from the development and (2) pay all applicable TIM Fees to address cumulative impacts.

Interpret TC-Xg so that the County is not precluded from entering into reimbursement agreements, which remain necessary to implement the General Plan, including Measure E’s policy changes, without violating State law.

Insert footnote 1: “Measure E, effective 7/29/16 extends indefinitely Policies TC-Xa, TC-Xf, TC-Xg, and Table TC-2.”

Insert footnote 2: Measure E, effective 7/29/16, inadvertently left out the word “design” from TC-Xg. The word “design” is therefor considered to be within the adopted General Plan and is not removed.

BE IT FURTHER RESOLVED, the Board of Supervisors hereby authorizes the Community Development Agency, Development Services Division to include this Resolution in an appendix to the adopted General Plan.

PASSED AND ADOPTED by the Board of Supervisors of the County of El Dorado at a regular meeting of said Board, held the _____ day of _____, 20__, by the following vote of said Board:

Attest:	Ayes:
James S. Mitrisin	Noes:
Clerk of the Board of Supervisors	Absent:

By: _____
Deputy Clerk

Chairman, Board of Supervisors