



RESOLUTION NO.

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO

Adopting an Amendment to the El Dorado County General Plan Land Use Element, Policies 2.1.1.3, 2.1.2.5 2.2.1.2 and Table 2-2 of Policy 2.2.1.3, Mixed-Use Development

WHEREAS, the Board of Supervisors adopted the General Plan on July 19, 2004, which identifies planned land uses and infrastructure for physical development in the unincorporated areas of the County of El Dorado; and

WHEREAS, the El Dorado County Board of Supervisors, upon further review of the impacts and limitations of General Plan Policies 2.1.1.3, 2.1.2.5 2.2.1.2 and Table 2-2 of Policy 2.2.1.3 of the Land Use Element of the General Plan, initiated an amendment to the General Plan on April 18, 2006, with the approval of a Resolution of Intention; and

WHEREAS, Pursuant to Public Resources Code 21083.3 and State CEQA Guidelines Section 15177, the County has determined that the project is within the scope of the General Plan EIR adopted July 2004, does not create any new or changed impacts from that analyzed in the 2004 General Plan EIR and Supplemental EIR (A06-0002), and in their judgement the General Plan EIR is adequate for approval of this project; and

WHEREAS, the County released the Initial Study/Negative Declaration on September 5, 2008 for public comments through October 4, 2008; and the Board of Supervisors independently reviewed the related staff reports, the record of the Planning Commission, and all evidence including testimony and correspondence received at the Planning Commission hearing on the recommended amendment to the Land Use Element; and

WHEREAS, Public comments were received on the proposed amendment and the Negative Declaration and addressed at the Public Hearings held on October 9, 2008; and

WHEREAS, the Board of Supervisors has reviewed and held public a hearing on December 9, 2008 on the recommended amendment to the Land Use Element of the General Plan; and

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WHEREAS, the Board of Supervisors, before taking action on the project, approved the Negative Declaration and Pursuant to Section 15090 of the CEQA Guidelines, the Board of Supervisors hereby certifies that: a) the Negative Declaration has been completed in compliance with CEQA; b) the Negative Declaration was presented to the Board, and the Board reviewed and considered the information contained in the Initial Study and subsequent Negative Declaration prior to taking action on the General Plan Amendment; and c) the Negative Declaration reflects the independent judgment and analysis of the Board of Supervisors of County of El Dorado., and;

WHEREAS, the Board of Supervisors finds that the proposed amendment to the General Plan is consistent with all elements of the General Plan and its goals and policies not otherwise amended.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of El Dorado as follows:

1. The Board of Supervisors adopts the following amendment to the General Plan based on the findings and reasons set forth in the staff report and Planning Commission's action:

Policy 2.1.1.3:

Mixed-use developments, which combine commercial, research, and development, and residential uses on a single parcel are permissible and encouraged within Community Regions ~~provided the commercial use is the primary and dominant use of the land.~~ Within Community Regions, the mixed-uses may occur vertically and/or horizontally. In mixed-use projects, the maximum residential density shall be ~~40~~ 24 dwelling units per acre within Community Regions;

Policy 2.1.2.5

Mixed use developments which combine commercial and residential uses on a single parcel are permissible and encouraged within Rural Centers ~~provided the commercial use is the primary and dominant use of the land.~~ Within Rural Centers, the mixed uses may occur either vertically or horizontally. The maximum residential density shall be four dwelling units per acre in Rural Centers in mixed use areas.

Policy 2.2.1.2:

Commercial (C): The purpose of this land use category is to provide a full range of commercial retail, office, and service uses to serve the residents, businesses, and visitors of El Dorado County. Mixed-use development of commercial lands within Community Regions and Rural Centers, which combine commercial and residential uses, shall be permitted ~~provided the commercial activity is the primary and dominant use of the parcel.~~ The

residential component of the project shall only be implemented following or concurrent with the commercial component. Except for Community Care Facilities described in Objective 4.1.2, developments in which residential usage is the sole ~~or primary~~ use shall be prohibited on commercially designated lands. Numerous zone districts shall be utilized to direct specific categories of commercial uses to the appropriate areas of the County. Except as provided in Policy 2.2.2.3, this designation is considered appropriate only within Community Regions and Rural Centers.

Policy 2.2.1.3

The General Plan shall provide for the following range of population densities in the respective land use designation based upon the permitted range of dwelling units per acre and number of persons per acre as shown in Table 2-2 below.

TABLE 2-2 LAND USE DENSITIES AND RESIDENTIAL POPULATION RANGES			
Land Use Designation	Units Per Acre	Persons Per₁ Housing Unit	Persons Per Acre
Multifamily Residential	5 - 24	2.3	11.5 - 55.2
High-Density Residential	1 - 5	2.8	2.8 - 19.6
Medium-Density Residential	1 - 0.2	2.8	2.8
Low-Density Residential	0.20 - 0.1	2.8	0.56 - 0.28
Rural Residential	0.1 - 0.025	2.8	0.28 - 0.07
Agricultural Lands	0.05	2.8	0.14
Natural Resource	0.025 - 0.00625	2.8	0.07 - 0.0175
Commercial	10/4² <u>24/4²</u>	<u>2.3/2.8</u>	28-55.2/11.2
Research & Development	10/4²	2.8	28/11.2
Industrial	-	-	-
Open Space	-	-	-
Public Facilities	-	-	-
Tourist Recreational	-	-	-

Notes:

¹ 1990 U.S. Census

² Maximum of ~~10~~ 24 units per acre in Community Regions; maximum of 4 units per acre in Rural Centers

2. The Board of Supervisors finds that adoption of the amendment to the General Plan is in the public interest.

BE IT FURTHER RESOLVED, the Board of hereby adopts the findings made at such time as this Board stated their intention to make the above listed amendment to the General Plan and incorporate said findings herein by reference.

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 _____, 200__, by the following vote of said Board:

Attest:

Suzanne Allen de Sanchez
Clerk of the Board of Supervisors

Ayes:

Noes:

Absent:

By: _____
Deputy Clerk

Chairman, Board of Supervisors

I CERTIFY THAT:

THE FOREGOING INSTRUMENT IS A CORRECT COPY OF THE ORIGINAL ON FILE IN THIS OFFICE.

DATE: _____

Attest: SUZANNE ALLEN DE SANCHEZ, Clerk of the Board of Supervisors of the County of El Dorado, State of California.

By: _____