## **D**EVELOPMENT SERVICES DEPARTMENT

County of EL DORADO

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## **MEMORANDUM**

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DATE:	February 22, 2012	Agenda of:	February 22, 2007
TO:	Planning Commission	Item #:	12
FROM:	Larry Appel, Deputy Director of Planning		
SUBJECT:	General Plan Consistency Ordinance replacing Ordinance 4690 Planning File No: OR07-0002 – Amendment to Site Plan Review process		

**Summary:** Planning Services recommends the Planning Commission forward a recommendation to the Board of Supervisors to approve the amendment.

The proposed Ordinance Amendment (OR07-0002) would not result in additional applications or fees that are not currently in place. It would formalize the current practice of requiring a General Plan consistency review into the Zoning Ordinance through modifications to the site plan review process.

This amendment is necessary so that we do not have to continue to approve or extend urgency and interim ordinances, and, in fact, we are no longer able to extend the current urgency ordinance.

These provisions for General Plan Consistency will be revisited during the overall Zoning Ordinance update over the next year and may be modified through that process.

The proposed amendment would create a new provision to allow the Planning Commission to balance certain General Plan Consistency issues through the planned development application process. This process will be useful where multiple General Plan Policies apply to a development project and balance needs to be struck between policies of environmental protection and economic development.

**Background:** The 2004 General Plan was adopted on July 19, 2004, and confirmed by referendum on March 8, 2005. Policy 2.2.5.20 required a General Plan consistency finding for development permits such as building permits and grading permits.

On March 29, 2005, the Board of Supervisors adopted Urgency Ordinance No. 4666 imposing a 45-day moratorium on building and grading permits unless the permits were reviewed through a new General Plan Consistency Review process.

On May 10, 2005, the Board adopted Interim Ordinance No. 4669 extending the moratorium for 320 days, to March 29, 2006. The ordinance was extended one final year, to March 29, 2007, through Ordinance No. 4690.

These ordinances were anticipated to be replaced by a comprehensive updating of the Zoning Ordinance to incorporate the Policies of the 2004 General Plan.

On February 8, 2007, the Commission adopted Resolution of Intention 2007-01 to consider these amendments.

**Discussion:** The Zoning Ordinance update process is underway but will require a substantial amount of time to complete. In order to avoid the environmental impacts identified in the 2004 General Plan Environmental Impact Report and implement Policy 2.2.5.20, the attached General Plan Consistency Ordinance amendment is recommended for adoption.

The General Plan Consistency Ordinance will modify the current site plan review process to incorporate a formal General Plan Policy review for ministerial development, including building and grading permits, much like the previous urgency and interim ordinances. The site plan review process is ministerial, has a Board approved fee schedule, and is an established process in the Department.

By adopting this Ordinance, the County will be assured that the General Plan will be implemented in a fair and reasonable manner until the comprehensive Zoning Ordinance is updated to include all the implementation measures of the 2004 General Plan.

The adoption of this ordinance is consistent with the General Plan Final EIR and implements a mitigation measure from that Final EIR. The planned development process, referenced in this ordinance, is a separate discretionary process that would require separate environmental analysis on a case by case basis.

**RECOMMENDATION:** Recommend approval