

# **2005-2010 General Plan Implementation Progress Report 2010/11 Twelve Month Action Plan, and Future Implementation Program**

## **SUMMARY**

The County has a responsibility to develop, adopt, and maintain a legally adequate General Plan pursuant to State planning law. The General Plan must meet State planning requirements and other State and Federal mandates all while reflecting technical and financial realities. The General Plan must maintain conformance and be compatible with numerous State laws and regional plans.

The General Plan consists of a map showing the distribution of land uses, and supporting text with goals, objectives, and policies that provide direction to County decision-making as it relates to a wide variety of programs, but especially land use issues and new development. The General Plan covers a 20-year planning horizon, but is also expected to be reviewed and modified on a regular basis to remain valid. Thus, amendments are made regularly, if the plan is to remain internally consistent.

The General Plan is a critical tool in implementing the County's vision and mission statements of supporting safe, healthy, and vibrant communities, wisely managing our natural resources, and preserving our local heritage; and providing efficient, courteous, and effective services and infrastructure for the safety, protection, and well-being of our residents, businesses and visitors.

Among the strategic priorities adopted by the Board in January, 2009 are Financial Stability, Financial Solvency, Organizational Integrity and Accountability, Economic Development, Public Infrastructure, and Public and Customer Satisfaction.

The purpose of this report is to provide an update on General Plan implementation progress, establish a next 12-month action plan, outline future priorities for General Plan Implementation, determine framework for the 2011 5-year review and monitoring report, and discuss staffing and funding options.

### ***Annual Monitoring***

Policy 2.9.1.1 requires annual monitoring of land use absorption and policy implementation. Policy 2.9.1.2 requires a report the second year after adoption, and every five years thereafter to develop a longer-term evaluation of the General Plan and the need for updating any element or policy. The first report was provided to the Board last year, four years into the plan's effective date of September 2005. The Board directed staff to return in 2011 for the next review. The preparation of this report provides the opportunity to evaluate progress on implementation measures, to adjust priorities and prepare for the 2011 General Plan Review.

### ***State Law***

There have been changes in state laws in relation to the governance and monitoring of land use since the General Plan was adopted in 2004.

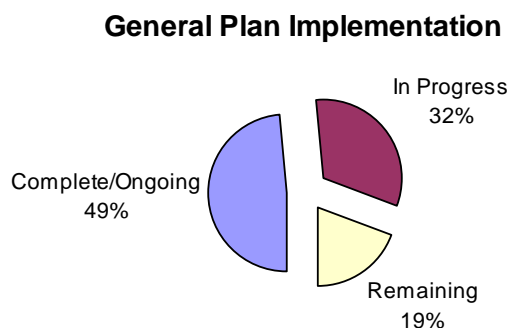
The Global Warming Solutions Act of 2006 (AB 32) requires California to reduce its greenhouse gas (GHG) emissions to 1990 levels by 2020. An even more ambitious long-term reduction target was established by Executive Order S-3- 05, signed by Governor Schwarzenegger in

2005, which calls for statewide GHG emissions reductions to 80% below 1990 levels by 2050. Additionally, Senate Bill (SB) 375 was signed into law in 2008. SB 375 was designed to help achieve the goals of AB 32 by reducing the emissions from cars and light trucks through improved land use and transportation policy. SB 375 requires the establishment of regional targets for GHG emissions and the coordination of regional transportation, housing, and climate change planning, including the creation of a regional Sustainable Communities Strategy. It also provides new streamlining provisions for the California Environmental Quality Act (CEQA) for certain projects. The Sacramento Area Council of Governments (SACOG) is currently working with the state and others to provide input into the development of the Sacramento region's target, and to incorporate the requirements of SB 375 into the next Regional Transportation Plan update and Regional Housing Need Allocation process that is included in the required Housing Element Update in 2013.

Although the County's General Plan was adopted in 2004 prior to the signing of AB 32 and SB 375, and did not directly address these requirements, many of its policies and implementation measures such as INRMP, Mixed Used Development, infill incentives, Multi Family densities and targeted revisions within the Zoning Ordinance and Design Manual are consistent with SB 375's goals. However, future updates may need to demonstrate consistency with the anticipated regional Sustainable Communities Strategy in order to be eligible for various incentives or funding programs, as well as to address climate change impacts under CEQA.

Detailed guidance on SB 375 and AB 32 implementation is being developed by the state. Development and implementation of actions and programs designed to reduce the climate change impacts found to be caused within the County will need to be developed through collaboration with SACOG and other local organizations and institutions. The General Plan review in 2011 may need to address the latest direction in regards to SB375 and AB32.

## AMENDMENTS AND IMPLEMENTATION UPDATE



Since the effective date of the General Plan, a number of implementation measures have been adopted, policies amended, and other programs initiated. These include amendments addressing floor area ratio, condominium conversions, and ministerial permit General Plan consistency requirements. The Board has adopted the Oak Woodlands Management Plan, Housing Element Update, Mixed Use Development Ordinance, Grading Ordinance, Winery Ordinance, and Affordable Housing Density Bonus Ordinance. Attachment I is a complete list of the General Plan's 191 Implementation measures with status updates, Attachment E (Housing Element Report) includes the 35 Implementation measures in the Housing Element and Attachment B is a list of amended General Plan policies.

Almost 50% of the General Plan's Implementation program is complete. Many of these measures require ongoing management and implementation. Approximately 15% of the 32% currently "In Progress" is included with the Zoning Ordinance Update, INRMP and Land Development Manual revisions. These three activities include multiple implementation

measures found in most all General Plan elements. Other items being worked on include, but are not limited to, assessing viable agricultural lands, general plan monitoring, TRPA Plan update and the Housing Condition Study required by the State.

### ***Current 12-Month Action Plan***

The Board approved the current 12-month action plan on June 30, 2009. The primary focus for DSD was the Zoning Ordinance and INRMP, which are still in process. Attached is the adopted 12-month action plan and a status summary of the plan. (Attachments C and D)

### ***Recommended 12-Month Action Plan for Fiscal Year 2010/11***

Development Services recommends that the Board approve the following tasks as the highest priority for the next 12-month action plan.

1. Zoning Ordinance/Map Update – State law requires that zoning be in conformance with the General Plan. The zoning ordinance is one of the primary implementation tools of the General Plan, and one that has far-reaching effects on a multitude of planning programs. Updating the zoning ordinance is also one of the principle implementation measures of General Plan with specific reference to 35 policies. One of the biggest problems facing applicants and staff while processing applications is the inconsistencies between code requirements and General Plan policies, as well as the inconsistencies between land use designations and zoning. This has been identified as the top General Plan implementation priority for Planning Services.

A complete reorganization and update of Title 17 incorporates numerous provisions from General Plan policies, updating current provisions to meet today's demands, and providing clarity where the current code is unclear. Drafts of each article have been completed and are being reviewed by EDAC and are available on line. Planning Commission review and CEQA compliance will need to be completed after initial review and feedback by EDAC. Staff expects this to go into the first half of FY2010-11. Staff commitments are 1.3 FTE through the completion of this task.

2. INRMP – The Integrated Natural Resources Management Plan (INRMP) is an implementation measure stemming from a mitigation measure for impacts identified in the General Plan EIR. It is also a key component of the settlement agreement for the general plan lawsuit and linked to the Oak Woodlands Management Plan. A contract has been let and work is under way for Phase 1 of the INRMP

Phase 1 of the INRMP is currently underway with a consultant on board and regular meetings with to advisory committees (Plant and Wildlife Technical Advisory Committee [PAWTAC] and the INRMP Stakeholders Advisory Committee [ISAC]). The project timelines calls for completion of Phase 1 in spring of 2011, with a staff commitment of .3 FTE.

3. Housing Element Implementation and Reporting Activities – The Housing Element is a required element of any General Plan and is designed to address the existing and projected housing needs of all economic segments of the community. The Housing Element Update is a requirement of the State and takes place every five years. The County has completed the process and received a certification of compliance from the California Department of Housing and Community Development (HCD) for its adopted Housing Element Update for the planning period 2008-2013. The current Housing

Element contains 35 implementation measures required to be developed, implemented and/or monitored through 2013. The 2009 Housing Element Annual Report is attached (Attachment E).

Planning Services, the Department of Human Services Housing, Community and Economic Development (HCED) Division, and the Housing Authority implement the County's housing implementation program providing opportunities for affordable housing for all income levels, which is consistent with the Housing Element's goals and policies. For example, HCED is responsible for implementing CDBG funded programs including First Time Home Buyer and Home Improvement Loan Programs.

As part of a 12-month action plan and under current funding allocations, staff anticipates to continue work on:

- a. Annual Monitoring and Reporting Requirements
- b. Review support of affordable housing projects and incentive policies under BOS Policies B-11 and B-14
- c. Public, Non-Profit and Business Assistance with CDBG and HOME Funds
- d. Manage current grants, ongoing programs, and activities
- e. Continued analysis of land inventory to meet RHNA requirements

With recent state law changes and recognized barriers to the development of affordable housing, staff expects the County will need to set priorities that further promote mixed use, infill and higher density housing options. This might include revisions to the Planned Development Open Space policies, development of an Infill Ordinance with incentives, Mixed Use Development phase 2, and the establishment of the Housing Trust Fund. With many priorities requiring general fund support, an option for the County is to seek grant funds to assist in the development of these additional programs. Staffing includes .4 FTE in Planning Services and 3 FTE in Human Services, although about half the 3 FTE's is currently funded by ongoing CDBG program funds.

4. Gabbro soils rare plant program coordination with USFWS and CDFG – While this remains a high priority for the County and Development Services staff, no recent progress has been made due to the lack of cooperation from USFWS and CDFG. While they have indicated a willingness to work with the County, the scope of work and the demands of the agencies remain unclear. Resolution is needed, however, to provide for future job and tax base development in the Cameron Park area, as well as providing certainty for development and transportation projects throughout the gabbro soil range. It is unclear how much staff time will be required to be devoted to this task if and when work begins on it again, but staff estimates .1 FTE at a minimum.

5. Land Development Manual

- a. January 28, 2010 Planning Commission directed staff to request direction from the Board of Supervisors on 5 Policy issues (Attachment F)–
  - i. (Policy Issue #10) Fire Code Requirements for access standards
  - ii. (Policy Issue #12) Design Waiver vs. Design Alternative process
  - iii. (Policy Issue #1) Grading without a project
  - iv. (Policy Issue #2) 50 cubic yard threshold exemption
  - v. (Policy Issue #4) Sidewalks GP policy TC-5a and TC-5b

- b. One Year Review – Upon adoption of the updated Land Development Manual (LDM) and one year of using the new LDM, it will be appropriate to revisit the document to fix, edit and change as may be necessary.
6. TRPA Regional Plan Update – The County has committed to working with TRPA to assist in the regional plan update process currently underway. While this has been on-going for several years, TRPA has taken a recent step to expedite its adoption process, requiring more work from the stakeholders, including affected local governments. Work includes regular meetings with agency staff and attendance at APC and Governing Board meetings. Staff resources require approximately .1 FTE of time commitment which is expected to continue into FY2010-11. Staff time committed to this task totals approximately two full days per month.
7. General Plan Mitigation and Implementation Monitoring and Update – Tracking system changes are on-going as the department works with IT to improve its systems. Department management will take the lead in coordinating with IT to develop functional tracking measures to provide reporting capability on a variety of interest areas, including land use absorption, housing, oak woodlands, and other mitigation requirements.

### ***Years 2-5 Action Plan***

The following list includes the next priorities for General Plan Implementation. They have been listed in order of priority and will be reviewed each year for inclusion into future action plans.

8. Open space/planned development policies amendment (Policy 2.2.3.1 & 2.2.5.4) – The Board adopted a Resolution of Intention to amend several policies relating to mandatory open space requirements and planned developments. This was identified as a second tier priority, but one of increasing importance due to its effect on several projects. Updated standards are intended to be addressed in the zoning ordinance, but the policy amendments will need to occur before code changes can be made.
9. Pollock Pines/Camino Community Region Boundary amendment – In April of 2009 the Board initiated this amendment. As with other amendments, until the key programs of the zoning ordinance and Phase 1 of the INRMP are completed, there are no staff resources to devote to this task. Staff anticipates beginning work on this in early 2011.
10. Zoning Ordinance Phase 2– There are several sections of the zoning ordinance update which will be deferred until the main sections and mapping are completed. These sections have been identified as either being especially controversial, or of a complex nature that will take sufficient time that it would delay the adoption of the rest of the ordinance. Upon adoption of the updated Zoning Ordinance staff will work with the Board to establish priorities. Sections that have been identified by staff to be deferred are:
  - a. Signs
  - b. Animal Keeping
  - c. Scenic Highways
  - d. Ranch Marketing Ordinance update (LU-A & AF-A)
11. Mixed Use Development Phase 2 – The Board directed staff to begin a more comprehensive analysis for utilizing mixed-use development as a tool to further achieve

goals established within the General Plan, such as support for compact urban form and infill development in areas other than commercial. A subcommittee of EDAC and other interested parties has begun work on this as a part of Community Identity, a related General Plan implementation task. Staff is providing assistance as needed through attendance at regular EDAC meetings and other meetings as requested. No formal work is expected on this until later this year or early 2011. One senior planner is providing assistance as needed.

12. Community Identity (LU-F, LU-G and CO-A) – There is a great deal of interest by the public to develop unique identities for individual communities within the County. The Board has established a Community Advisory Committee for the Diamond Springs/El Dorado area, the Cameron Park Design Review Committee has been discussing community identity, and interest has been shown in the past for similar work to be done in El Dorado Hills and Camino. These initiatives could result in a wide range of products, from design standards tailored to each community to complete community plans. Staffing needs could range from an advisory role to committees up to the dedication of significant time and money for adoption of design standards or amendments to the General Plan. There are grants available for some of this work if the Board desired to pursue this.
13. Grading/Ordinance update/amendment – It is anticipated that the Board of Supervisors would direct staff to review and amend the Grading Ordinance to exempt grading permits for certain grading activities that affect less than 250 cubic yards of material. This Ordinance change would require CEQA review and may include other changes or updates to the Grading Ordinance.
14. Agricultural District Boundary Adjustments (AF-J) - DSD staff is working with Agricultural Commissioner to expand agricultural district boundaries.
15. Agricultural land threshold and evaluation system (AF-F) – DSD staff will assist the Agriculture Department as needed in completing this implementation measure.
16. Establish Housing Trust Fund - The establishment of a housing trust fund will, once capitalized, provide the County with funds to build, preserve, and rehabilitate rental homes that are affordable for extremely and very low-income households. It is a requirement of the Affordable Housing Density Bonus Ordinance adopted by the Board of Supervisors on March 31, 2009. Resources within the HCED program have already been allocated for a Housing Trust Fund.
17. AB32/SB375 Implementation –Until the state completes its implementation requirements/guidelines, it is unknown what the extent of these requirements will be. It could include development of an infill ordinance, adoption of bikeway master plan, or other VMT-reduction programs. Staff anticipates incorporating some basic vehicle trip reduction strategies in provisions of the zoning ordinance, mixed use development ordinance, community identity, and other programs on which it is working.
18. INRMP Phase 2 – Will not begin until Phase 1 is completed in April, 2011.
19. 2013 Housing Element Update (to begin in 2012) – As noted, the 2013 housing element update process does not need to begin until 2012. However, funding may be available for application this year that could assist with the update in 2012. Monitoring and

tracking improvements made now will help facilitate that process when the time comes to begin that task.

Following is a list of General Plan policies and implementation measures that require clarification, simplification and/or flexibility (numbered items below are continued from above but are not necessarily listed in priority order). Some items may be addressed as part of the Zoning Ordinance update. A description of policies and implementations 20-34 below is attached (Attachment G)

20. Density Bonus/PD (2.2.4.1)
21. 30% Slope (7.1.2.1)
22. Table 2-4 General Plan Land Use Designation And Zoning District Consistency Matrix
23. Planned Development required for 50 parcels or more (2.2.5.4)
24. Neighborhood Service Zones (2.2.5.8)
25. General Plan Review and Monitoring Amendment for clarity and specificity (2.9.1)
26. Transfer of Development Densities (2.2.3.4)
27. Required public water and sewer hook ups in Community Regions (5.2.1 and 5.3.1)
28. Special Use Permit requirements for Wireless (5.6.1.4)
29. Energy Conserving Landscape plans (5.6.2.1)
30. Noise Policies (Table 6.1 and 6.2)
31. 20-Acre minimum requirement adjacent to MR (7.2.2.1)
32. Wetland setback policy (7.3.3)
33. Protection of Cultural Heritage Studies (7.5.1)
34. Public Facilities And Services Financing Plan (10.2.1.5)
35. Oak Tree Ordinance (7.4.5.2)
36. Meyers Community Plan Update

### ***Remaining General Plan Implementation Measures***

Approximately 44 implementation measures have not been addressed to date. This represents less than 20% of the total implementation program. Measures include programs that would secure long-term water supply for agriculture, developing ordinances that address cultural resource preservation, noise and scenic corridors and the development of a Bikeway Master Plan that is in accordance with the Bicycle Transportation Act. Other programs include the County converting fleet cars to alternative fuel vehicles and relocating the County Fair. Some of the implementation programs that have gone unimplemented would provide a benefit to the County or assist projects through the process. However, with reduced staff and resources some of these measures may not be started or completed for some time. Others may need to be considered for removal all together as they are not required to meet mitigation measures or are no longer essential to meeting General Plan goals and policies. Some of these measures may be addressed in other implementation programs. Staff will provide a more comprehensive review of these measures as part of the 5-year review for discussion.

## **FUNDING PRIORITIES**

### ***Staffing Allocation***

Development Services presently has 2.4 FTEs allocated to General Plan implementation and long range planning. The allocation of staff resources to General Plan implementation is 1 principal planner and 1.4 senior planners. The remainder of the second senior planner's

functions is allocated to the Housing, Community, and Economic Development program, through an MOU with the Human Services Department to provide the required oversight of ongoing programs and implementation of the Housing Element. The other senior planner is dedicated 100% to the zoning ordinance update, with the principal planner picking up all other assignments. All of this work is funded through the County's general fund.

Current funding and staffing levels would allow for the completion of the Zoning Ordinance and map, Housing Element monitoring and reporting, and Phase 1 of the INRMP in fiscal year 2010/11. There is the potential, depending on the extent of the work required, of completing three additional tasks; The Design Manual 1-year review, coordination with TRPA on the Regional Plan Update, and working to resolve the rare plant issue with USFWS and CDFG. A seventh item is developing an effective monitoring and reporting program for General Plan land use consumption and buildout to inform the County in its up-coming review. As this is expected to be done in 2011, it is critical to develop this database and reporting format now so that the information will be available when the review and possible update occurs.

### ***Possible Grant funded activities***

There are a wide variety of grant programs available that could assist in funding some of the programs identified above. However, it is important that decision makers avoid relying on one-time grants to fund ongoing program cost. Before decision makers approve an application for funding, the grant funds identified should support projects and/or expand programs that benefit the County.

Most grants are given for a specific purpose and can only be spent to achieve specific outcomes. There are several ways that grant money can benefit the County of El Dorado. State and Federal grants associated with planning, infrastructure and public facilities are usually one-time funds granted to assist local communities in meeting one time project needs.

Current State and Federal planning grant opportunities encourage the development and implementation of effective and/or innovative local plans that support AB 32 and SB 375 targets, infill development needs, transit or walkable communities and other targeted General Plan updates. Many of these objectives are aligned with current General Plan goals and Board of Supervisor priorities. Taking advantage of current funding programs that support already identified County needs and wants will prevent non-compliance with current and future mandates when funding may not be available to assist in revisions or updates.

Notice of funding availability for planning grants through Community Development Block Grants (CDBG), the Strategic Growth Council (SGC Prop 84 funds) and Cal Trans have similar priority objectives in the above identified General Plan amendments and implementation program. Funding from these programs may assist in retaining existing and knowledgeable staff to assist in General Plan implementation, updates and amendments.

The Strategic Growth Council anticipates releasing a Notice of Funding Availability Request for Proposal on March 29, 2010. Awards can range up to \$1 million with drawdowns beginning in early 2011 and going through early 2014 (36-month). Draft guidelines have been attached (Attachment H). Proposals may include the preparation, adoption and implementation of targeted General Plan update or revisions that:

1. Promote infill development and invest in existing communities,
2. Protect, preserve and enhance environmental, agricultural and recreation resources; and
3. Encourage location and resource efficient development



Due to the upcoming notice of SGC’s funding proposals, staff, as part of today’s Board workshop, is requesting the Board provide conceptual approval for staff to move forward with the completion of an application under SGC Prop 84 Planning Grant. Final application will be brought to the Board for final approval before the application submittal date of May 28, 2010. All future notices of funding availability for similar proposals will be brought to the Board per BOARD Policy A-6.

## RECOMMENDATIONS

Staff recommends the Board of Supervisors:

1. Receive and file the report on the General Plan Implementation Progress
2. Direct staff to prepare a fiscal year 2010/11 General Plan Implementation plan based on staffing and funding options A-E below:

	<i><b>Project List</b></i>	<i><b>Additional Cost Estimate</b></i>
A. Under Current Staffing Levels	Tasks 1-7	\$0
B. One additional staff (Senior Planner)	Task 8, 9, 10 and 13	\$145,000
C. Two additional staff (Sr. and Assoc. Planner)	Tasks 14 and 15	\$240,000
D. With Consultant		
1. Zoning Ordinance		\$50,000
2. INRMP 2		\$350,000
3. GP Update Environmental Needs		\$150,000
E. Research and advise Board of potential funding sources that may fund GP implementation and priorities.		\$0

3. Due to the March 29, 2010 anticipated release of the Notice of Funding Availability, direct staff to prepare a Strategic Growth Council Planning Grant application for up to \$1,000,000, focused on above identified targeted General Plan amendments, implementation measures or revisions as they relate to grant priorities to:
  - i. Promote infill development and invest in existing communities,
  - ii. Protect, preserve and enhance environmental, agricultural and recreation resources; and
  - iii. Encourage location and resource efficient development

If awarded, funds would offset anticipated staffing and consultant cost associated with General Plan implementation for up to 36 months. There is no cost associated with the application process beyond staff time related to the preparation of the application. No county match is required for receipt of this funding. Final application will be brought back to the Board prior to submittal on May 28, 2010.

4. Discuss task 7, General Plan Monitoring, review and possible update due in 2011. This review is anticipated to include, but is not limited to:
  - a. Monitoring Report
    - i. Assumptions
    - ii. Land Use
    - iii. Mitigation Measures
  - b. General Plan Amendments
    - i. Text
    - ii. Maps
  - c. Review policies and implementation measures that are no longer relevant or obsolete.