

PC 8/18/14
Don Van Dyke
#1
3 pages

protection of residents from noise

Comments on Noise:

Overall comment: At the time when many counties and cities are going in the direction of more ~~restrictive noise ordinances~~, why is El Dorado County proposing a less restrictive ordinance? We would like our county to be a leader in protecting its residents from noise pollution. **Please consider an alternative that is more restrictive in the types, hours, and intensities of noises allowed. Please specify effective mitigation measure such as fines for repeat offenders of the noise ordinance.**

Please explain why the construction exemption and related tables still exist in the General Plan, rather than the zoning ordinance. Any exemption for construction should be moved to the ordinance to be consistent with the other noise provisions. The remaining tables are inconsistent with the proposed policy.

Policy 6.5.1.11 was developed in response to this ROI and related background information:

ROI Adopted 11-14-2011 states "Consider amending existing noise standards to establish attainable noise thresholds with regard to temporary nighttime construction and activities and other temporary exceedences. [Includes Tables 6-1 thru 6-5]

[Background - DOT construction projects often require periodic nighttime work for selected construction activities that cannot be accomplished during the day due to traffic and/or safety conflicts. At times, this night work exceeds the General Plan noise thresholds resulting in significant impacts with regard to noise that cannot be mitigated to a less than significant level. These thresholds are more stringent than other local jurisdictions, DOT is requesting as part of the TGPA to consider revising existing noise standards by establishing realistic noise thresholds with regard to temporary nighttime construction activities.]

However, the proposed policy goes far beyond the intent of the ROI. **All construction activities are exempted from the standards if performed between 7am and 7pm Monday-Friday, or 8am to 5pm on weekends and federal holidays. This needs to be changed to honor the original intent of the ROI. Exemptions can be made for traffic congestion and safety hazards, but all other construction activities need to conform to the tables.**

Please add limitations on construction noise. In areas where subdivisions are being constructed, surrounding neighbors need a break from the continuous noise for months and even years at a time. Here is a proposal for construction noise:

All construction activities in the vicinity of noise sensitive land uses such as residences, hospitals, rest homes, libraries, shall be limited to the following:

Monday-Friday: 7am to 6pm

Saturday 9am to 5pm

Prohibited on Sundays and Federally recognized holidays

Loud noise-generating construction-related activities such as trenching, grading, paving, the use of air compressors shall be limited to 8am to 5pm Monday through Friday only.

ZOU section **17.37.020** contains the following categorical exemptions which are a change from the currently approved General Plan:

A. Activities conducted in public parks, public playgrounds, and public or private school grounds, including but not limited to school athletic and school entertainment events, providing an amplified sound system is not required or used. This change would subject homeowners (and other sensitive receptors) to unlimited noise from un-amplified sources such as gas-powered toys, acoustic bands, power equipment, leaf blowers, barking dogs, crowd noises, etc. **Please remove this exemption.**

B. Safety signals, warning devices, and emergency pressure relief valves. **Please condition this exemption with the following: "when utilized for their intended purposes"**

D. Noise sources associated with property maintenance, such as lawn mowers, trimmers, snow blowers, and power tools in good working order, provided that the activities take place between the hours of eight a.m. and nine p.m. on weekdays and nine a.m. to nine p.m. on weekends and federal holidays. This change would expose sensitive receptors to extra hours of loud noise, in particular the quiet evening hours from 7PM to 9PM. **Please remove this exemption or change the hours to 8am-7pm on weekdays, 9am-7pm on weekends and holidays.**

E. Noise sources associated with agricultural uses listed in Section **17.21.020** (Agricultural Zones: Matrix of Allowed Uses) that are performed consistent with the standards and practices of the agricultural industry. The vague term "that are performed consistent with the standards and practices of the agricultural industry." must be defined. **Please supply a reference document that explains these standards and practices for each allowed item in Section 17.21.020. This may be a problem if the agricultural use is near a sensitive receptor.**

G. Noise sources associated with religious gatherings, public holidays, or other

commonly celebrated occasions. These terms are very vague and broad, and there are no restrictions on the frequency, locations, days, or hours of these gatherings. **Please remove this exemption.**

I. Construction (e.g. construction, alteration or repair activities) during daylight hours provided that all construction equipment shall be fitted with factory installed muffling devices and maintained in good working order. This change specifies that construction is exempt "during daylight hours". But this is in conflict with the TGPA proposed amendment specifying construction to be allowed 7am to 7pm weekdays and 8 to 5 on weekends and holidays. The term "during daylight hours" is vague and can easily be interpreted as any time a person can plainly see. In the summertime, this could be from 5:30am to 9:00pm. **Please rationalize this exemption with the general plan policy on construction, and restrict the policy exemption as originally intended in the ROI. Move all construction related noise standards to the ZOU from the GP.**

K. Cutting of firewood for non-commercial personal use. **Please remove this exemption or set hours where it is allowed.**

ZOU section **17.37.070 (B)** relies on "self-monitoring to insure that sound system levels are in compliance with the conditions of approval" It is well known that self-monitoring is ineffective. The county should establish an enforcement procedure for this type of event which might include someone measuring the sound level. Otherwise, the penalty portion is unenforceable as it requires "failure to comply with sound system levels"

Section 17.37.070 (A); The new new wording is:

For residential development along U.S. Highway 50, setbacks are the preferred approach to meet noise threshold standards under Table 17.37.060.2, where feasible. Landscaped berms or screened sound walls may be considered as alternatives. Sound walls in the foreground of Highway 50 are discouraged.

The original wording (current GP) is as follows:

Policy 6.5.1.5 Setbacks shall be the preferred method of noise abatement for residential projects located along U.S. Highway 50. Noise walls shall be discouraged within the foreground viewshed of U.S. Highway 50 and shall be discouraged in favor of less intrusive noise mitigation (e.g., landscaped berms, setbacks) along other high volume roadways.

The words "along other high volume roadways" have been removed in the new ZOU. This has big implications for development along Green Valley Road and other high volume roadways. Why was this removed?

PC 8/18/14
Don Van Dyke
#1
3 pages

Comments on 17.40.160 Home Occupations

Overall comments:

1. In spite of the assurances by the ZOU itself, this proposed language does not minimize conflicts with adjacent property owners. Nor does it seek to maintain the residential character of neighborhoods.
2. Limitations on hours should be placed on all home occupations requiring a permit. The San Bernardino ordinance limits activities to 7am to 8pm.
3. There needs to be a disclaimer similar to the following:

Nothing in this Chapter shall prevent a homeowner's association or a landlord from adopting a rule, regulation, or by-law prohibiting home occupations on the premises under their respective jurisdictions. The rule, regulation, or by-law applicable to a property shall supersede the provisions of this Chapter. In addition, nothing in this Chapter shall preclude, invalidate, or override an existing covenant, by-law, rule, or regulation of a common interest community, housing cooperative, or landlord that prohibits home occupations or that more strictly restricts or regulates home occupations than as provided in this Chapter.

1. Is more than one home occupation allowed per lot? If so, what are the implications? Are the number of employees or cars "per home occupation" or is it cumulative?
2. There is a fundamental conflict between this requirement:

17.40.160 (C)(6) As part of the home occupation, no equipment or process shall be used that creates noise, vibration, dust, glare, fumes, odors, or electrical interference detectable to the normal senses off-site.

And certain "allowed" home occupations such as music lessons, concerts, recitals, horse riding lessons, etc. Also, in general, any home occupation that involves work outdoors will have a difficult time meeting this requirement.

1. The current zoning ordinance requires that items be screened from public view and adjacent lots. The ZOU eliminates the requirement to screen from adjacent lots.
Please add this requirement back into the ZOU.
2. Number of employees: **Residential zones should not be allowed any employees by right.** Extra traffic, voices, people taking smoking breaks, etc. are disruptive to neighbors. **A maximum of one employee should be allowed in residential zones and this should require a conditional use permit.**
3. There is a conflict with signs. 17.40.160 (C) (1) says that no signs are allowed, but

17.40.160(E) specifies sizes and locations of signs. **Signs should not be allowed in residential zones.**

4. There is a conflict with structures. 17.40.160 (C) (1) says that no modifications to the structure are allowed, but 17.40.160(D) specifies that accessory structures are allowed. **This conflict needs to be resolved.**
5. Tenants of properties need to get (notarized) permission from the owner of the property.

Specific Comments:

Table 17.40.160.1 row 2 specifies that "Student Instruction exceeding standards in 17.40.160 (C), but in compliance with standards of 17.40.160 (D) requires only an administrative permit. These uses should require a Conditional Use Permit

Table 17.40.160.1 row 3 specifies that "Home occupations or student Instruction not in compliance with standards in 17.40.160 C or D requires a Conditional Use Permit. **These uses should not be allowed at all in residential zones.**

17.40.160 (C):

(1) Home occupation activities should not be allowed to take place outdoors in residential zones. There is a conflict with signs. This section says they are not allowed.

(2) Home occupation activities should also be screened from adjacent properties.

(3) Are "other personnel who provide support service to the home occupation" counted as employees? What if they are there every day?

(6) States: "Businesses that do not meet these standards may be subject to a Conditional Use Permit." The wording here needs to change to "shall be". Why would we allow these activities at all, even with a CUP, since they are almost guaranteed to disturb neighbors.

(7) States that commercial delivery vehicles are allowed, but it doesn't say what is not allowed. This should be changed to something like: "The home occupation shall not involve the use of commercial vehicles for the delivery of materials to or from the premises beyond those commercial vehicles normally associated with residential uses."

(8b,c) Heavy commercial vehicles need to be screened from the view of adjacent lots.

(9) Please also include the provision that goods or materials must be screened from the view of adjacent properties.

(10) This is weak. A stronger statement would be: "Chemicals, solvents, mixtures or materials

that are corrosive, toxic, flammable, explosive, a carcinogen, an irritant, a strong sensitizer, or other similar materials used in a home occupation shall be used and stored in compliance with regulations of Environmental Management. These materials are subject to review and approval of Environmental Management and the Fire Department prior to business license sign off."

(11) What if contiguous lots by the same owner, but there are different tenants occupying the various parcels?

(12) Group lessons in residential zones should be allowed only by a Conditional Use Permit.

D (3) The use of road frontage should not be permitted, especially in more dense residential areas.

D (4) No minimum lot size is specified. Does this mean that even a 6000 square foot lot can have a 600 square foot accessory structure? This conflicts with

E. Signs of any kind or size should not be allowed in residential zones. This is the same as the San Bernardino ord.

F. Why would we allow any of these uses at all? 1+ acre is too small of a lot size to allow these, even with a CUP. These should not be allowed in any residential zones.

G. "Subsections C1-C11" Should read "Subsections C1-C13"

PC 8/18/14
Don VanDyke
#1
17 pages

Transportation and Traffic Summary:

Policy TC-Xa of the General Plan requires that all highway and road segments, as well as all interchanges and intersections in the unincorporated areas of the county be measured. The DEIR does not measure any interchanges or intersections. It also omits several important segments of highway 50 and major roads in the county. The DEIR cannot be considered sufficient until all of these required segments, interchanges, and intersections are included in the traffic study.

The conclusions of the traffic section as contained in table 3.9-13 simply don't pass muster. Just looking at the high-level results shows that even after adding nearly 20,000 homes in the county, the number of cars traveling to Sacramento county in 2035 during the morning commute will decrease on highway 50 and Green Valley Road! The table purports to use 2010 numbers for baseline traffic, but these numbers don't even match the county's own DOT counts or CalTrans counts for highway 50. Why does the study use outdated 2010 information when the county DOT has counts for 2013 and even some for 2014. The county claims "parallel capacity" to highway 50 will solve our commute problems, but the table doesn't include any data for Saratoga Way, which would be the primary parallel road to highway 50. Many other high-volume sections of roadway are simply not included in the analysis.

Also particularly problematic is that the future traffic forecasts include speculative road improvements. Highway 50 improvements that are not even planned at this point are assumed to be completed. CIP projects that get pushed further out in time every year (and change wildly in cost) are assumed to be completed.

Table TC-2 (this table shows road segments allowed to operated at LOS F) is proposed to be moved to "another document". Why is this being done? Would it then not be part of the General Plan?

Detailed review:

Page 2-8 shows a proposed policy change: " Policies TC-1m, TC-1n(B), TC-1w: Road Improvements. These policies would be amended to make minor modifications to clarify language: TC-1m—delete "of effort"; TC-1n(B)—replace "accidents" with "crashes" to be consistent with transportation industry standard language; and TC-1w—delete "maximum." The DEIR does not analyze the impact of these wording changes.

The first change in Policy TC-1m: "The County shall ensure that road funds allocated directly or otherwise available to the County shall be programmed and expended in ways that maximize the use of federal and other matching funds,

including maintenance of effort requirements." This proposed amendment changes the meaning of the policy. "maintenance of effort requirements" is a legal term pertaining to Federal Matching funds. **Please explain why this change is being proposed, the impact it will have to the meaning of the policy, and the impact it will have to funding for roads.**

Policy TC-1w New streets and improvements to existing rural roads necessitated by new development shall be designed to minimize visual impacts, preserve rural character, and ensure neighborhood quality to the ~~maximum~~ extent possible consistent with the needs of emergency access, on street parking, and vehicular and pedestrian safety. **Please explain why this change is being proposed, and the impact it will have on visual impacts, rural character, and neighborhood quality.**

Page 2-8 shows a proposed policy: " Table TC-2, Policy TC-Xb, and Policy TC-Xd. Level of Service Standards. This revision entails moving Table TC-2 to another document; if it is moved, all references to TC-2, including the references in TC-Xb and TC –Xd, would be amended."

Is the "other document" part of the general plan? If so, where is the DEIR evaluation of this document? If the other document is not part of the general plan, does this then mean that Table TC-2 would then not need a general plan amendment in order to be revised (or deleted)? Please explain the impact of moving table TC-2 to "another document."

Page 2-9 shows a proposed policy change: " Policy TC-Xi: Planning for U.S. Highway 50 Widening. this policy would be amended to allow for coordination of regional projects to be delivered on a schedule agreed to by related regional agencies, thereby excluding regional projects from the scheduling requirements of the policies of the General Plan" **Will this exempt highway 50 from the requirements of Policy TC-Xf? Please analyze the impact to traffic on highway 50 in the county if widening of highway 50 no longer needs to meet the scheduling requirements of the policies of the General Plan.**

Page 2-9 shows a proposed policy change: " Policy TC-1y: Employment Cap. The El Dorado Hills Business Park employment cap limits would be analyzed and either amended or deleted." **Please analyze the potential impact to traffic if the employment cap is amended or deleted. State the mitigations required to ensure that traffic on roads in El Dorado Hills is not worsened by amending this policy.**

Page 2-9 shows a proposed policy change: " Policies TC-Xd, TC-Xe and TC-Xf: Level of Service Standards. These policies would be amended to clarify the definition of "worsen"; to clarify what is required if a project "worsens" traffic; to identify the methodology for traffic studies (e.g., analysis period, analysis scenarios, methods); and to identify the timing of improvements." This process is very vague, and could have

significant impact if certain changes are made. For instance, if the timing of improvements is relaxed, this would have a significant impact on traffic for a longer period of time. **Please analyze the potential impact of the changes (e.g. timing of improvements, definition of "worsen", etc.) to these policies. State the mitigations required to ensure that traffic is not worsened, and that the period of delay to completion of a mitigation project is not pushed further out in time.**

Page 3-9.23, bullet 3 states: " The potential impact of additional residential density was considered in the analyses that follow." **How, specifically, was this impact considered? Was each residential area evaluated at the proposed maximum density for traffic impact?**

Page 3-9.23, bullet 4 states: "New objective and policies encouraging infill development. Any future infill would be subject to the density and intensity limitations of the General Plan. As a result, this change would not incrementally alter land use patterns or intensity." **This statement is demonstrably false since the county currently has in process a proposed project (recommended by staff for approval) to convert mixed-use commercial into high density housing (55 units per acre, more than double what is currently allowed under the general plan). As a result, the DEIR must examine the impact of possible conversion of other commercial and/or high-density residential to an even higher density than allowed by the TGPA/ZOU.**

Page 3-9.24 states: " these changes generally adopt the least intensive of those zones." **Are there cases where the changes do not adopt the least intensive of the zones? How many? If so, what are these parcels, and what impact do they have on the traffic in those areas (and overall).**

Page 3-9.24 states: " The rezonings would not change the development potential. As a result, the rezonings would not change the expected traffic impacts that will occur as a result of implementation of the General Plan." **However, the ZOU/TGPA process "creates" many new entitlements *without individual discretionary review*. For example, under ZOU/TGPA changes, the Dixon Ranch property near Green Valley Road, would be automatically rezoned from 3 Ag parcels to approximately 28 parcels. While the resulting designation is consistent with the general plan, there is no *individual* review of each project in this bulk process. There are many such proposed "automatic rezones" and the traffic impact of *each* of these needs to be included in the cumulative impact study.**

Page 3-9.24 states: "Move Table TC-1 from the General Plan to Standards Plans or Land Development Manual." **What effect does the movement of this table have? Are the "Standards Plans or Land Development Manual" part of the general plan? If so, where is the DEIR evaluation of these manuals? If they are not part of the general plan, does this then mean that Table TC-1 would then not need a general plan**

amendment in order to be revised (or deleted)?

Page 3-9.24 states: " For the project (i.e., TGPA/ZOU), LOS was determined by comparing existing and forecasted traffic volumes for selected roadway segments with peak-hour LOS capacity thresholds. These thresholds are shown in Table 3.9-3 and were developed based on the methodologies contained in the *Highway Capacity Manual* (HCM) (Transportation Research Board 2010)." The 2010 HCM clearly states that " Because passing capacity decreases as passing demand increases, two-lane highways exhibit a unique characteristic: operating quality often decreases precipitously as demand flow increases, and operations can become "unacceptable" at relatively low volume-to-capacity ratios."

It is clear that simple volume/capacity ratios are an *inadequate measure* of LOS on 2-lane highways and arterials, and over-state the actual capacity of road segments. **Does the TDM include the following factors as required by the HCM 2010? If not, please explain the rationale for not including each one:**

- **Highway Class per segment**
- **lane width**
- **shoulder width**
- **terrain**
- **% no passing zones**
- **Directional split**
- **Peak hour factor**
- **access point density**
- **% heavy vehicles**
- **signal spacing**

Class I, II, and III must be evaluated for LOS by the method stated in Chapter 15 of the 2010 HCM, and using table 15-3:

LOS	Class I Highways		Class II Highways	Class III Highways
	ATS (mi/h)	PTSF (%)	PTSF (%)	PFFS (%)
A	>55	≤35	≤40	>91.7
B	>50-55	>35-50	>40-55	>83.3-91.7
C	>45-50	>50-65	>55-70	>75.0-83.3
D	>40-45	>65-80	>70-85	>66.7-75.0
E	≤40	>80	>85	≤66.7

The information for each road segment in the study area must be updated to include the factors (1-10) above. The DEIR must be updated to utilize the methods specified in Chapter 15 of the 2010 HCM for all Class I, II, and III highways (or equivalent) in the study area.

HCM 2010, Chapter 15 states: "Isolated signalized intersections on two-lane highways may be evaluated with the methodology of Chapter 18, Signalized Intersections. Two-lane highways in urban and suburban areas with multiple signalized intersections 2 mi or less apart should be analyzed as urban streets or arterials with the methodology of Chapter 17, Urban Street Segments." **The DEIR must be updated to use the methods described in HCM 2010 for "Urban Arterials" (including signalized intersections) for study area roads designated as "major arterial", such as El Dorado Hills Blvd, segments of Green Valley Road, Saratoga Way, Sunrise Blvd., etc.**

Page 3-9.27 states: " El Dorado County's updated Travel Demand Model (TDM) was used to model six roadway network scenarios for the TGPA/ZOU project. This analysis indicates that U.S. Highway 50 will not reach LOS F in 2035 under any of the six roadway network scenarios analyzed." **This statement calls into question the validity of the EDC TDM. Clearly, as is stated on page 3-9.27, a segment of Highway 50 today operates at LOS F. The TDM does not show this segment as LOS F for any dates or scenarios, please explain why not.**

Page 3-9.27 states: "... Caltrans Operations staff has also stated that once the ramp metering for the westbound El Dorado Hills Boulevard on-ramp is operational, LOS on this segment should improve." **Please provide documentation of this statement from CalTrans operational staff. By "improve", did they state that the segment would no longer be LOS F? Did they state that by metering traffic onto highway 50, LOS on El Dorado Hills Blvd. would drop? What will be the result of ramp metering on El Dorado Hill Blvd LOS, as well as the WB on-ramp?**

Page 3-9.27. Much justification of the county TDM is placed upon the " superior zonal resolution (many times more than SACMET) enables a much more detailed analysis of county roadways." The county TDM can have great detail, yet poor representation of

the larger area, improper initial conditions, and arrive at an unusable result. **How much of a difference does this "superior zonal resolution" make in the highway 50 traffic forecasts?**

Page 3-9.27 states: " For example, SACMET's land use identified the El Dorado Hills Business Park as "retail," whereas EDC's TDM more accurately depicts its uses as "industrial" and "office." SACMET also showed golf courses, churches, and storage facilities in EDC as retail. Since retail uses result in higher trip generation rates than industrial, office, golf course, and church uses, these discrepancies could lead to differences in roadway impacts if not corrected." Retail is allowed in the business park (and exists there today), so this cannot be entirely discounted. Secondly, retail may generate fewer peak hour trips than industrial and office space. **Did the SACMET model have any areas that were identified as lower-traffic generating land uses than the county TDM assumptions? What are those areas, and what are the land uses in those areas? How much of a difference does this make in the modeling of highway 50 peak hour trips? The DEIR needs to provide table showing the difference in peak hour trips on highways between the EDC model and the SACMET model, and describe why the differences exist.**

Page 3-9.28 states: " Caltrans and El Dorado County use different practices regarding how traffic counts are collected and used to model future transportation system performance." CalTrans has wire loops and other mechanisms for real-time counts on Highway 50 in the most populated areas of El Dorado County. This data can be processed to exclude weekends and holidays. The second "justification" for using the TDM instead of CalTrans model does not pass muster. **How and when does the county collect traffic counts on Highway 50 for each segment? Please show a table of differences between the county collected data for Highways 49 and 50, and the CalTrans data for the baseline year (2010).**

Page 3-9.28 tries to further justify the use of the TDM rather than CalTrans data because CalTrans "is planning for LOS F on U.S. Highway in the future, while El Dorado County is tasked with maintaining LOS E on U.S. Highway 50 as required by the General Plan." This statement makes no sense. Since segments of US Highway 50 are already at LOS F (as physically measured by CalTrans), clearly the county planning process has not worked. CalTrans indicates that there is no way to mitigate the traffic to better than LOS F by 2035 given the amount of growth in the county. The fact that the TDM does not concur (by a large amount e.g. LOS C vs. LOS F) with the CalTrans initial conditions in 2010, this makes the county TDM highly suspect as a useful planning tool for Highway 50 traffic. **Please explain how the county TDM will ensure roadway segments will not reach improper LOS (LOS E, or LOS F, as appropriate), when the TDM results are demonstrably incorrect today.**

Page 3-9.28 states that CalTrans and the County use different annual growth

projections (e.g. SACOG's vs. County). **The CalTrans/SACOG rate is 0.72% AGR, and the county uses 1.03% AGR. Given that CalTrans uses a more conservative growth rate (about 30% lower than the county), please explain why their traffic forecasts for 2035 are higher volume than that of the TDM.**

Page 3-9.28 states: " For these reasons, El Dorado County has chosen to use its methodology in this analysis." As has been shown above, these "reasons" are all highly suspect. EDC needs to calculate these traffic numbers conservatively (i.e. not err on the low side) since erring on the low side would place the roadway network at risk of more LOS F segments. **The DEIR needs to show in detail how each of these factors makes a difference, how much that difference is, and explain why the TDM provides a more realistic forecast of Highway 50 traffic in 2035.**

Page 3-9.31 indicates that Scenario 1 is a 2010 baseline. This is four years old. In 2010, the county was still recovering from a recession, and traffic in 2010 is not necessarily representative of current traffic on many road segments. **Please explain the rationale for using this old information when 2013 and some 2014 traffic counts are available on the EDC website. Please run the scenarios 1-6 using 2013/2014 traffic data?**

Page 3.9-32 states: " Three baselines are represented in the scenarios: 2010, 2025 with future CIP/MTP road improvements (assumes that planned roadway improvements have been constructed), and 2035 cumulative impact." **Please list all assumptions in the cumulative impact. This would include (but not limited to):**

- **A list of CIP and MTP road improvements, their scheduled completion dates, and funding sources/finance plans for each showing a "reasonable expectation" that these projects will in fact be fully funded and completed by the dates specified.**
- **Document the impact of the federal Highway Trust Fund projected shortfall on these projects.**
- **A list of approved but not yet constructed projects in El Dorado County and Eastern Sacramento County (including parcel counts) that were included in the cumulative scenarios.**
 - **For example, Easton, the 10,000+ homes south of highway 50 in Folsom. The adopted plans for Vineyard Springs, North Vineyard Station, Florin-Vineyard Gap, etc.**
 - **Alto, Diamante, La Canada, Migianella, Summerbrook, Silver Springs, Bass Lake, Rancho Dorado, etc.**
 - **The remaining approved units in Serrano, Valley View, Promontory, Carson Creek, etc.**
- **A list of proposed projects in El Dorado County and Eastern Sacramento County (including parcels counts) that were included in the cumulative**

scenarios.

- For example, Marble Valley, Lime Rock, Dixon Ranch, Central EDH, San Stino, Town Center Apartments, Wilson Estates, etc.
- NewBridge, Jackson Township, West Jackson Highway, Cordova Hills, Mather South, etc.

Page 3.9-32 includes Table 3.9-6. In this table, the current (2010) number of households is listed as 55493. Scenario 6 projects 76,270 households, leaving an increase of 20,777 households. In the same table, Employment increases from 44,468 to 71,181. This is an increase of 26,713 jobs. This means that new jobs would need to be created at the rate of 1.29 jobs per new household on an average throughout the county. **Please provide the following information about assumed job creation (26,713 jobs) in scenario 6 as all of these factors impact how much traffic is added and which roads are impacted.**

- Location of jobs/job centers
- Types of jobs to be created
- Projected salary ranges of these jobs (determines where the employees can afford to live)
- Price range of homes in each new area (determines what kind of job salary ranges the residents need)
- Assumptions about where the new employees will live (e.g. will they need to commute from Sac county, can they afford to live in El Dorado Hills, Cameron Park, Shingle Springs, etc. given the latest average housing price data from the EDC Association of Realtors:

RESIDENTIAL SALES BY AREA --- YEAR-TO-DATE (5/1 - 5/31)

ZONE	AREA	2013 # OF SALES	2013 AVG. PRICE	2014 # OF SALES	AVG. PRICE
12601	CAMERON PARK	166	\$340,890	128	
12602	EL DORADO HILLS	354	\$495,054	304	
12603	SHINGLE SPRINGS	44	\$397,484	47	
12604	RESCUE/NORTH AREA	20	\$412,630	26	
12605	LATROBE/SOUTH AREA	12	\$467,693	8	
12701	PLACERVILLE	114	\$248,210	99	
12702	DIAMOND SPRINGS/EL DORADO	54	\$222,395	72	
12703	PLEASANT VALLEY	44	\$310,108	24	
12704	SOMERSET/SOUTH COUNTY	50	\$199,271	42	
12705	LOTUS/COLOMA	4	\$348,125	6	
12706	GREENSTONE, GOLD HILL WEST	21	\$413,929	11	
12707	SWANSBORO	9	\$167,422	14	
12801	CAMINO/CEDAR GROVE	28	\$320,853	32	
12802	POLLOCK PINES/SLY PARK	100	\$183,473	75	
12803	AMERICAN RIVER CANYON	6	\$178,917	7	
12901	GEORGETOWN DIVIDE	52	\$202,313	47	
12902	PILOT HILL/COOL	48	\$262,800	35	
12903	NORTH COUNTY	5	\$268,000	3	

- The county's past track record indicates that creating this many jobs will be

extremely difficult. Please show a plan that lays out how this large number of jobs will be created.

From the 2013 report prepared by BAE for use in the El Dorado County TDM, the numbers are quite different than those presented and used in the TDM. The BAE report list growth in EDC with the following tables:

Table 1: Baseline Conditions, West Slope, Less City of Placerville

	2010
Population (a)	139,941
Housing Units (a)	59,668
Employment (b)	32,597

Notes:

(a) Based on 2010 Census. El Dorado countywide population, minus population in census tracts located in Tahoe Basin, minus City of Placerville. Tahoe Basin is defined by census tracts 302, 303.01, 303.02, 304.01, 304.02, 305.02, 305.04, 305.05, 316, 320, 9900.

(b) Based on Draft SACOG TAZ-level employment estimates for 2008 and projections for 2014, for El Dorado County West Slope, less employment in City of Placerville area. Assumes constant average annual rate of growth between 2008 and 2014, to estimate 2010 employment.

Sources: U.S. Census, 2010; SACOG, 2012; BAE, 2012.

Table 3: Projected Residential Growth, West Slope of El Dorado County, 2010-2035

	2010	2015	2020	2025	2030	2035
Total Housing Units	59,668	62,803	66,102	69,575	73,230	77,077

The job market growth numbers are also quite different in the BAE report:

Market Area (a)	New Jobs Each Period (b)					Total
	2015	2020	2025	2030	2035	
#1 - El Dorado Hills	1,414	1,488	1,567	1,649	1,735	7,300
#2 - Cameron Park/ Shingle Springs	734	773	813	856	901	4,000
#3 - Diamond Springs	214	225	237	250	263	1,000
#4 - Unincorporated Placerville Area	101	107	112	118	124	500
#5 - Coloma/Gold Hill	202	212	224	235	248	1,000
#6 - Pollock Pines	0	0	0	0	0	0
#7 - Pleasant Valley	101	106	112	118	124	500
#8 - Latrobe (c)	22	23	24	25	27	100
#9 - Somerset	0	0	0	0	0	0
#10 - Cool/Pilot Hill	0	0	0	0	0	0
#11 - Georgetown/Garden Valley	31	33	35	36	38	150
#12 - Tahoe Basin	n.a.	n.a.	n.a.	n.a.	n.a.	0
#13 - American River	8	9	9	10	10	50
#14 - Mosquito	67	71	74	78	82	300
Total	2,895	3,047	3,207	3,376	3,553	16,000

Notes:

Figures in columns may not sum to totals due to rounding.

For the geographic boundaries of the various Market Areas, please refer to Figure 1 on page 9.

(a) Converts new housing units from Table 3 into new households assuming 7.98 percent average vacancy rate, from Table 2.

(b) Projects new jobs based on SACOG's projected ratio of new jobs to new households, from Table 4.

(c) Due to an anomaly in SACOG's projections for Market Area 8, BAE utilized the average jobs/housing ratio from all other market areas to estimate the Market Area 8 job growth.

Sources: U.S. Census, 2010; SACOG, 2012; El Dorado County, 2012; BAE, 2013.

The initial conditions for any simulation/forecast can make a large difference in the results. As shown, the number of households in the BAE report in 2010 is 59,968 vs. the number used in the DEIR Table 3.9-6 is 55,493. There is a stark difference in the number of jobs in the two reports. The BAE report lists 32,597 jobs in the county in 2010, the DEIR lists 44,468.

In the 2035 projections for total households, the BAE report shows 77,077 while Scenario 6 in the DEIR shows 76,270. This difference does not seem to be that significant. What is very significant is the difference in total number of jobs. The BAE report shows 16,078 new jobs, while DEIR Scenario 6 shows 26,713 new jobs.

Please explain why baseline condition numbers from the BAE report for number of households and Employment are not used in the TDM analyses presented in the DEIR. Please explain why there is such a large discrepancy in the projected number of jobs in 2035.

Page 3.9-32 states that " The travel demand model (TDM) analysis evaluated 227 roadway segments for each of the six study scenarios to evaluate effects on the County's roadway network." This is insufficient to determine the project impact. Measure Y and the subsequent General Plan policies require that "all intersections and interchanges" be examined. **The DEIR must be amended to include intersections and interchanges in the analysis of scenarios 1-6.**

Table 3.9-7 shows Minimum LOS for segments 44 and 151 to be "4AU". This is a road classification, not a LOS indication. **Please amend the table.**

Page 3.9-33 states: " Two segments of Green Valley Road would operate at an unacceptable LOS F and are expected to continue to operate at LOS F in the near future. Because these levels of service reflect existing conditions without the project, no project impacts would occur." *This is incorrect*, as the project may still "worsen" the LOS F conditions as defined in the General Plan, in which case mitigation measures spelled out must be instituted. **The DEIR must examine the LOS F segments which are made worse (as defined by General Plan Policy TC-Xe) by the project and list the following information: A) % increase in AM and PM peak hour traffic, B) ADT, C) The number of additional AM and PM peak hour trips. Any road segments that meet any of the criteria of "worsen" in this context represent a significant impact, and must be listed in the DEIR.**

Page 3-9.38 states: "One of the roadway segments, Missouri Flat Road, is allowed to operate at LOS F per General Plan Policy TC-Xa." While this is true, the General Plan also states that there is a maximum v/c ratio for two segments of that road.

- Highway 50 to Mother Lode Drive may not operate at a v/c worse than 1.12
- Mother Lode Drive to China Garden Road may not operate at a v/c worse than 1.20

Please state the future cumulative v/c ratios for these segments of Missouri Flat Road. If these ratios are worse than allowed in the general plan, provide the subsequent necessary mitigation measures in the DEIR.

Page 3-9.39 states: " Because the County has specific traffic mitigation policies that require future development projects to construct adequate roadway facilities to maintain acceptable levels of service and payment of fees that go toward making regional traffic improvements designed for improving traffic operations, potential impacts are considered less than significant." This is incorrect. The County does not require development projects to construct adequate roadway facilities to maintain acceptable levels of service. Depending on the project and impact, many development projects simply pay a fee to help pay for a project that may be 10 years or more away. In many cases, projects listed in the CIP keep slipping out in time and changing drastically in cost. For instance, CIP project #71324 (**Saratoga Extension Phase I**) has the following revisions to schedule and cost (from county DOT website):

EDC CIP	Project Completion Date	Estimated Cost
2006	06-07	10,000,000
2007	10-11	10,694,269
2008	09-10	16,298,226
2009	13 - 18	15,062,236
2010	14-19	15,279,510
2012	"after 2021"	11,541,347
2013	"after 2022"	11,541,347
2014	"FY 24/25 - 33/34"	11,541,347

Another example is CIP project #72332 (EDH Blvd realignment):

EDC CIP	Project Completion Date	Estimated Cost
2004	06-07	\$ 2,689,996.00
2006	Jul-08	\$ 5,033,559.00
2007	After 2011	\$ 5,713,826.00
2008	After 2012	\$ 14,268,688.00
2009	After 2018	\$ 13,899,022.00
2010	after 2019	\$ 11,694,000.00
2012	After 2021	\$ 9,451,507.00
2013	"FY 23/24 - 32/33"	\$ 9,452,000.00
2014	"FY 24/25 - 33/34"	\$ 9,452,000.00

These two examples are not unique--there are many such projects where the dates get pushed out every year and the estimated costs jump wildly. CEQA demands that there be a reasonable expectation that a mitigation will occur and it will work. Our current situation with the county CIP program provides neither.

Please describe the process used by the county to ensure that 1) TIM fees are adequate to cover the construction of the mitigation at 10 and 20 years in the future. 2) Mitigations in the CIP do not get pushed out in time, or removed from the CIP. Describe the monitoring program for this, why it has failed in the past, and why it will succeed in the future.

Please analyze as an alternative to the current CIP program (which has not been working), amending of Policy TC-Xf as follows:

At the time of approval of a tentative map for a single family residential subdivision of five or more parcels that worsens (defined as a project that triggers Policy TC-Xe [A] or [B] or [C]) traffic on the County road system, the County shall ~~do one of the following:~~ (1) condition the project to construct all road improvements necessary to maintain or attain Level of Service standards detailed in this Transportation and Circulation Element based on existing traffic plus traffic generated from the development plus forecasted traffic growth at 10-years from project submittal; or (2) ensure the commencement of construction of the necessary road improvements are included in the County's 10-year CIP.

For all other discretionary projects that worsen (defined as a project that triggers Policy TC-Xe [A] or [B] or [C]) traffic on the County road system, the County shall ~~do one of the following:~~ (1) condition the project to construct all road improvements necessary to maintain or attain Level of Service standards detailed in this Transportation and Circulation Element based on existing traffic plus traffic generated from the development plus forecasted traffic growth at 10-years from project submittal; or (2) ensure the construction of the necessary road improvements are included in the County's 20-year CIP.

Page 3-9.39 states: "The improvements are shown by roadway segment in Table 3.9-1. These improvements are considered concept facilities, meaning they are the roadway improvements that are needed in the next 20 years (California Department of Transportation 2010). The TDM included these improvements in the analysis of the study scenarios. However, there is no assurance that these improvements to U.S. Highway 50 would be in place in 20 years. Therefore, potential short-term impacts would be significant and unavoidable until these improvements are in place." [emphasis added] **Since there is currently no plan by CalTrans or other agencies to provide "concept facility" improvements within 20 years, the DEIR must assume these improvements are not constructed within the Project Time Horizon. Scenarios 3,4,6 must then be re-run with that assumption.**

Page 3-9.40 states: "These measures would reduce or avoid decreasing LOS and require payment of TIM fees that would go toward making regional traffic improvements designed for improving traffic operations. Therefore, potential impacts would be less than significant." Improvements may not take place for 10 to 20 years after the completion of a project given the TIM fee arrangement. This could create a significant impact for 10 to 20 years (or more). **Please explain the rationale for stating this 10 to 20 year delay in implementing traffic operations as "less than significant."** Especially given the examples and discussion above showing CIP projects moving out in time and radically up in cost.

Page 3.9-43 Table 3.9-13:

- Road segments (other than freeway segments), are listed with a total volume at peak AM and peak PM hours. Using this method, the volume and capacity numbers are misleading, and err on the side making the LOS appear better than it really is. As stated in HCM 2010, the information for each segment should include the directional split if available. This information is readily available at the El Dorado County DOT website. Looking at numbers for Green Valley road, the directional split is highly biased in the commute direction (e.g. 70/30). Thus one direction could be LOS F, the other LOS B, but when the two directions are combined, the result may show a misleading LOS D. **The DEIR needs to be updated to provide directional counts and LOS calculations on all roadways in the study area where directional counts have been measured.**
- Measurement points. Measurement points on highway 50 are presented as "W of Latrobe" or "W of Bass Lake", etc. It is unclear whether or not these measurements would include traffic from the ramps associated with the measurement point. **Please clarify where in each highway 50 segment the measurement is obtained and whether it is west of on/off ramps or not. If the counts are not west of the associated on/off ramps, please state the justification for this, as it would not give correct volume or LOS for that freeway segment.**
- "Worsen". In order to understand whether or not the project will worsen already LOS F traffic (Policy TC-Xe):
Policy TC-Xe For the purposes of this Transportation and Circulation Element, "worsen" is defined as any of the following number of project trips using a road facility at the time of issuance of a use and occupancy permit for the development project:
 - A. A 2 percent increase in traffic during the a.m. peak hour, p.m. peak hour, or daily, or
 - B. The addition of 100 or more daily trips, or
 - C. The addition of 10 or more trips during the a.m. peak hour or the p.m. peak hour.

The DEIR must measure the % increase in traffic during the AM and PM peak hours, and the additional ADT generated by the project for all road segments, intersections, and interchanges.

- Missing road segments. In addition to intersections and interchanges, several critical segments of roadway are missing from the analysis. **Please provide the**

volume/LOS information for the following roads/segments in the same format as the others in Table 3.9-13. If any of the following road segments are not considered by the county as important to review, please list the reason for each segment.

- Highway 50 W of Empire Ranch interchange.
- Highway 50 West of Silva Valley Parkway. This is important to understand the impact of the new interchange.
- Highway 50 West of Cambridge Road. This is important to understand the impact of Marble Valley/Lime Rock developments, and future commercial in this area.
- Saratoga Way: all segments from EDH Blvd to Empire Ranch. This is important to understand the parallel capacity for highway 50.
- El Dorado Hills Blvd. north of Saratoga Way. This will be important to understand the future split of traffic for parallel capacity on Saratoga Way. This segment is 4AD today. What is the future configuration?
- El Dorado Hills Blvd. south of Park Drive. (Highway 50 WB ramp dumps out here, as well as left turns from El Dorado Hills Blvd. to WB 50, and exit from Raley's center)
- Empire Ranch Road. (all segments) Important to understand highway 50 impact, parallel capacity.
- Latrobe Rd/White Rock Rd Connector (all segments). Important to understand the parallel capacity for highway 50.
- Marble Valley Road south of Highway 50 Important to understand Marble Valley / Lime Rock contribution to highway 50 traffic.
- Flying C/Deer Creek Road South of Highway 50. Important to understand Marble Valley / Lime Rock contribution to highway 50 traffic.
- Green Valley Road East of Silva Valley Parkway. Important to understand the impact from Dixon Ranch.
- Silver Springs Parkway South of Green Valley Road. Important to understand impact from Silver Springs, Dixon Ranch, Summerbrook, etc.
- Latrobe Road north of Town Center Blvd. Important to understand impact of south of highway 50 and Town Center development, business.
- Valley View Pkwy. south of White Rock Road (this road is used by commuters as a cut-through from the business park today. This is anticipated to get much worse once the Silva Valley interchange is complete, and additional business and residential is added south of Highway 50.)

3	50	SAC	23.136	SACRAMENTO/E DORADO CO LN	8,600	101,000	93,000			
3	50	ED	0	SACRAMENTO/E DORADO CO LN				8,600	101,000	93,000
3	50	ED	0.857	LATROBE RD	8,600	101,000	93,000	7,000	78,000	71,000
3	50	ED	R 1.677	BEG INDEP ALIGN RT LNS	7,000	78,000	71,000	3,350	37,500	34,000
3	50	ED	R 1.677	L BEGIN INDEP ALIGN LT LANES	3,350	37,500	23,000	3,350	37,500	34,000
3	50	ED	R 3.154	END INDEPENDENT ALIGN	3,350	37,500	34,000	7,000	78,000	71,000
3	50	ED	R 3.232	BASS LAKE RD	7,000	78,000	71,000	5,700	68,000	62,000
3	50	ED	4.962	CAMBRIDGE RD	5,700	68,000	62,000	5,600	64,000	61,000
3	50	ED	6.57	CAMERON PARK	5,600	64,000	61,000	5,600	64,000	61,000
3	50	ED	R 8.564	SHINGLE SPRINGS	5,600	64,000	61,000	3,850	51,000	47,500
3	50	ED	R 10.295	EAST SHINGLE SPRINGS	3,850	51,000	47,500	3,800	48,000	47,000

64

- Existing conditions for Highway 50 W of Latrobe (ID 1 and 2) are very different (lower) than the CalTrans measurements. The CalTrans 2010 Traffic Counts book lists peak hour traffic at this segment as 8600 vehicles on the mainline freeway. The TDM table shows a peak volume of 3330 AM and 4100 PM. Clearly since CalTrans lists this segment of Highway 50 as LOS F in peak hour, the table must be incorrect. **Please correct the volume numbers or explain the justification for the numbers used and how they were obtained. This difference is very significant.**
- Segments #5 and #6 of Highway 50 at Bass lake show a total peak volume of 4350AM and 5740PM. The CalTrans 2010 Traffic Counts book lists peak hour traffic at this segment as 7000. **Please correct the base volume numbers or explain the justification for the numbers used and how they were obtained.**
- Several other road segments in the table have numbers substantially different than the El Dorado County DOT website count numbers (e.g. Segment #44 show a total peak volume of 1060AM and 1650PM. The EDC DOT Traffic count for 2010 lists peak hour traffic at this segment as 1900AM, 2050PM in Jan, and 1314AM, 2068PM in Jul. DOT numbers also list this segment as 1909AM/2116PM in Jan 2013. **Please correct the base volume numbers on all listed road segments or explain the justification for the numbers used and how they were obtained.**
- NOP comments: The following comments received by the county on the Draft EIR NOP have not been fully addressed in the DEIR. **Please address the following items in the DEIR:**
 - Page 710: Caltrans requests "Specifically, the EIR should identify the impacts that the increase in traffic will have on SHS segments, intersections, and interchanges, and any necessary mitigations to reduce the impacts to a less than significant level."
 - Page 711: Caltrans requests "Average Daily Traffic, AM and PM peak hour volumes and levels of service (LOS) on all roadways where potentially significant impacts may occur, including crossroads and controlled intersections for existing, existing plus project, cumulative and cumulative plus project scenarios. Calculation of cumulative traffic volumes should

consider all traffic-generating developments, both existing and future, that would affect study area roadways and intersections. The analysis should clearly identify the project's contribution to area traffic and any degradation to existing and cumulative LOS. [emphasis added]

- Page 711: Schematic illustration of traffic conditions including the project site and study area roadways, trip distribution percentages and volumes as well as intersection geometrics, i.e., lane configurations, for the scenarios described above.
- Page 711: Identification of mitigation for any roadway mainline section or intersection with insufficient capacity to maintain an acceptable LOS with the addition of project-related and/or cumulative traffic. As noted above, the project's fair share contribution, financing, scheduling, implementation responsibilities and lead agency monitoring should also be fully discussed for all proposed mitigation measures.

PC 8/18/14
Don Van Dyke

7 pages

DEPARTMENT OF TRANSPORTATION

DISTRICT 3—SACRAMENTO AREA OFFICE
2379 GATEWAY OAKS DRIVE, SUITE 150
SACRAMENTO, CA 95833
PHONE (916) 274-0638
FAX (916) 274-0602
TTY 711
www.dot.ca.gov

*Flex your power!
Be energy efficient!*

July 23, 2014

032014-ELD-0007
03-ELD-50/PM Various
SCH#2012052074

Ms. Shawna Purvines
Long Range Planning
El Dorado County
2850 Fairland Court, Building C
Placerville, CA 95672

**Targeted General Plan Amendment and Zoning Ordinance Update (TGPA-ZOU) – Draft
Environmental Impact Report (DEIR)**

Dear Ms. Purvines:

Thank you for including the California Department of Transportation (Caltrans) in the review process for the County of El Dorado Targeted General Plan Amendment and Zoning Ordinance Update (TGPA-ZOU) DEIR. The TGPA-ZOU proposes amendments to existing policies and regulations and establishes new policies and regulations regarding land use and transportation within the unincorporated parts of El Dorado County. There are several proposed policy changes associated with the project, including densification of some existing land uses, that will influence future development throughout the County. The following comments concern the analysis and implications of these changes, so that impacts to the State Highway System are disclosed and adequately mitigated for, protecting interregional travel and safety throughout the County. We look forward to continuing to work with the County of El Dorado staff, stakeholders, and the El Dorado County community in the refinement and implementation of the TGPA-ZOU. Our comments are based on the DEIR received:

Caltrans State Highway System Planning

- ES.5 (Page ES-17), 3.9.1 Existing Conditions (Page 3.9-1), 3.9.2 Environmental Impacts (Page 3.9-23), Table 3.9-1 (Pages 3.9-3 through 3.9-4), and Table D.7-3 (Pages D-13 through D-14), Tables D.8-3 through D.8-7 (Pages D-19 through D-23) – In numerous instances, the DEIR cites highway information from the Caltrans 2009 U.S. Highway 50 (US 50) Corridor System Management Plan (CSMP) and the 2010 US 50 Transportation Concept Report (TCR). Please note that Caltrans has updated and combined these documents into the current 2014 US 50 TCR-CSMP. The 2014 US 50 TCR-CSMP for is available at:

<http://www.dot.ca.gov/dist3/departments/planning/tcr/tcr50.pdf>

*"Provide a safe, sustainable, integrated and efficient transportation system
to enhance California's economy and livability"*

Ms. Purvines - Long Range Planning, El Dorado County
 Targeted General Plan Amendment and Zoning Ordinance Update (TGPA-ZOU) - DEIR
 July 23, 2014
 Page 2

The "Current Level of Service (LOS)", "20 Year Concept LOS", and "Concept Facility" columns in Tables 3.9-1 and D.7-3 are inaccurate, and should be replaced with the updated information from the 2014 US 50 TCR-CSMP. Furthermore, the segmentation of US 50 has changed – for example, US 50 from the Sacramento/El Dorado County Line to Cameron Park Drive has been broken up into three distinct segments based on current traffic patterns and facility configuration. Please see Attachment A, Table 13: US 50 Basic System Characteristics (page 49 from the 2014 US 50 TCR-CSMP) for updated data and segmentation of US 50.

- 3.9.1 Existing Conditions (Page 3.9-15) – Existing General Plan Policy TC-Xa, item No. 2 states:

"The County shall not add any additional segments of US Highway 50, or any other roads, to the County's list of roads allowed to operate at LOS F without first getting the voter's approval or by 4/5ths vote of the Board of Supervisors."

Table TC-2 (Page 3.9-16) subsequently lists a number of County Roads and US 50 segments within unincorporated El Dorado County which are allowed under policy TC-Xa to operate at LOS F.

We are concerned with the application of this General Plan policy in the DEIR to determine impact significance on State Highway System facilities. This creates the potential of County Roads operating beyond their designed capacity spilling into US 50 and SR 49, thus adversely affecting highway operations and possibly safety.

For instance, Tables 3.9-9 (Page 3.9-35) and 3.9-10 (Page 3.9-36) Study Scenario 3 and 4, state that Missouri Flat Road 400 yards north of Forni Road will worsen to LOS F during the PM Peak Hour. However, according to the DEIR, this is "Not considered an impact because this roadway segment is included in the list of roadway segments allowed to operate at LOS F as shown in Table 3.9-4." If the operations of Missouri Flat Road in the vicinity of US 50 are causing queuing that exceeds the available storage of the ramps, and this compromises the safety on US 50, this would be considered a significant impact under the California Environmental Quality Act (CEQA). Queuing that exceeds available storage denotes a breakdown in the flow of traffic and creates traffic hazards with automobiles in intersections and preventing some through traffic movements.

Furthermore, Table TC-2, which is associated with this policy, does not reflect current Caltrans operational performance concepts for either US 50 or SR 49, presently or in the future. The table appears not to have been updated since it was first adopted in the late 1990's. While this DEIR and the associated policy changes to the 2004 General Plan do not propose changing this table, we strongly encourage El Dorado County to revise it to reflect current concepts. Caltrans has established a minimum acceptable LOS for freeway segments, called "Concept LOS," of LOS E for urban areas and LOS D for rural areas. Please see Attachment A for current Concept LOS values for US 50.

*"Provide a safe, sustainable, integrated and efficient transportation system
 to enhance California's economy and livability"*

Ms. Purvines - Long Range Planning, El Dorado County
 Targeted General Plan Amendment and Zoning Ordinance Update (TGPA-ZOU) - DEIR
 July 23, 2014
 Page 3

- 3.9.2 Environmental Impacts (Page 3.9-30) – Impact “5.4-3. Short term unacceptable LOS conditions related to generation of new traffic in advance of transportation improvements” states:

"Policy TC-Xf of the General Plan includes modified language to allow a potential lag to occur between the issuance of use or occupancy permits and required roadway improvements as long as roadway improvements necessary to accommodate 'existing plus project' traffic are programmed (i.e., fully funded)."

Again, we are concerned with how existing General Plan policy is cited in the DEIR to justify significant and unavoidable impacts to the State Highway System. Many transportation improvement projects that are programmed are not constructed for several years and are sometimes cancelled. A policy that permits a “lag” between when occupancy permits are issued and when required roadway improvements are built could potentially degrade highway operations and possibly create unsafe conditions for motorists, bicyclists, and pedestrians. Caltrans, El Dorado County, El Dorado County Transportation Commission (EDCTC), and other local agencies and entities should ensure that transportation improvements are built in concert with incoming development, so that travel growth is managed and that roadway safety is enhanced or at least maintained.

Clarification Comments

- ES.5 (Page ES-18) and 3.9.2 Environmental Impacts (Page 3.9-28) – The DEIR states:

"Third, Caltrans is planning for the future of the State Highway system while El Dorado County is tasked with the planning, improvement, and maintenance of the local network. It should be noted that Caltrans is planning for LOS F on U.S. Highway 50 in the future, while El Dorado County is tasked with maintaining LOS E on U.S. Highway 50 where it runs through Community Regions and LOS D in all other areas of the county, as required by General Plan Policy TC-Xd and Policy 5.1.2.2."

Caltrans is not planning for LOS F on US 50. As stated earlier, Caltrans has established “Concept LOS” values that represent minimum acceptable LOS values for highway segments. Please see Attachment A for Caltrans Concept LOS values for US 50.

The 2014 US 50 TCR-CSMP does identify that certain segments are either currently operating at LOS F or are forecasted to operate at LOS F. Any present or future LOS analysis that concludes a freeway segment will operate at LOS F highlights areas where future demand will exceed future capacity and illustrates a need for more capacity and/or operational improvements and/or system management strategies in that area.

"Provide a safe, sustainable, integrated and efficient transportation system to enhance California's economy and livability"

Ms. Purvines - Long Range Planning, El Dorado County
 Targeted General Plan Amendment and Zoning Ordinance Update (TGPA-ZOU) - DEIR
 July 23, 2014
 Page 4

- ES.5 (Page ES-17) and 3.9.2 Environmental Impacts (Page 3.9-27) – The DEIR states:

“Caltrans Operations staff has also stated that once the ramp metering for the westbound El Dorado Hills Boulevard on-ramp is operational, LOS on this segment should improve.”

The statement should be revised to read, “LOS on this segment may temporarily improve.” Microsimulation analysis is needed in order to accurately determine whether or not LOS will improve with the addition of the ramp meter. The ramp meter alone may not be enough to improve the LOS, and other improvements and/or strategies may be needed to accommodate travel demand on US 50.

- ES.5 (Page ES-18) and 3.9.2 Environmental Impacts (Page 3.9-28) – The DEIR states:

“Caltrans and El Dorado County also differ in determining the amount and distribution of future development. Caltrans determines the annual growth from SACOG’s models and applies the traffic growth to the baseline conditions to determine the 20-year volumes.”

This statement is incorrect. Caltrans has previously discussed with the County that growth factors are developed for freeway segments based on all applicable Travel Demand Models in the analysis area as well as linear regression analysis of historical traffic volumes.

- ES.5 (Pages ES-17-18) and 3.9.2 Environmental Impacts (Page 3.9-28) – The DEIR states:

“Second, Caltrans and El Dorado County use different practices regarding how traffic counts are collected and used to model future transportation system performance. Caltrans’ count data for freeways are counted throughout the year, with some locations counted continuously. Locations that are not counted throughout the year are sampled every 3 years at different times during the count year. Final volumes are adjusted by compensating for seasonal influence, weekly variation, and other variables that may be present. Caltrans counts are based on a 7-day week.”

Caltrans has previously discussed with the County that traffic counts obtained from a smaller sample size are more likely to be adversely affected by weather, traffic incidents, and seasonal and weekly travel fluctuations. Our counting method endeavors to capture a representative sample so that we have a holistic understanding of traffic conditions on the State Highway System throughout the year.

El Dorado County Travel Demand Model (TDM) and Methodology

- ES.5 (Page ES-17) and 3.9.2 Environmental Impacts (Page 3.9-27) – The DEIR states:

“El Dorado County’s updated Travel Demand Model (TDM) was used to model six roadway network scenarios for the TGPA/ZOU project. This Analysis indicates that U.S. Highway 50 will not reach LOS F in 2035 under any of the six roadway network scenarios analyzed.”

*“Provide a safe, sustainable, integrated and efficient transportation system
 to enhance California’s economy and livability”*

Ms. Purvines - Long Range Planning, El Dorado County
 Targeted General Plan Amendment and Zoning Ordinance Update (TGPA-ZOU) - DEIR
 July 23, 2014
 Page 5

In a letter sent to the County of El Dorado on February 14th, 2014, regarding review of the El Dorado County TDM, Caltrans stated that comments and concerns regarding the final draft base year model and documentation had yet to be addressed. There are specific concerns about network assumptions that directly affect the demand volumes on US 50, specifically low freeway link speeds constraining demand volumes. Furthermore, Caltrans has yet to review any future El Dorado County TDM scenarios because the County stated that the future forecasts were yet to be finalized. Caltrans believes that before any future El Dorado County TDM scenarios are analyzed, the network issues in the base year El Dorado County TDM need to be corrected. Since the base year model used in this analysis did not incorporate our freeway link speed comments and the future forecasts and models have yet to be reviewed or approved, we cannot agree with the conclusions derived from the traffic analysis. The LOS analysis for US 50 should be redone once the base year and future year models are completed and approved by Caltrans.

Regarding conditions on US 50, according to the Caltrans Performance Measurement System (PeMS) and the 2010 Highway Capacity Manual freeway segment analysis, the Sacramento/El Dorado County line to Latrobe Road freeway segment of US 50 currently operates at LOS F (please see Attachment A). In order for the 2035 US 50 LOS to improve from F to E, 2035 traffic volumes on US 50 will need to be lower than current traffic volumes and/or significant mainline and parallel capacity/operational improvements are needed to offset the current travel demand and future travel demand increases on US 50. Also, using the El Dorado County TDM projected traffic volumes growth and the industry standard differential method to develop future forecasts, Caltrans projects that US 50 will operate at LOS F in 2035.

- Table D.7-1 Level of Service Typical Traffic Volumes (Page D-10) – Table D.7-1 describes the methodology and peak hour service volumes thresholds used to determine the level of service of roadways in El Dorado County. The narrative states, “These values (are) not appropriate for making detailed or final determinations regarding operational or design considerations.” However, the conclusions derived from the traffic modeling make specific operational determinations that contradict this statement. For example, ES.5 states, “US 50 will not reach LOS F in 2035 under any of the six roadway network scenarios analyzed.” Level of service for freeways should be calculated using the 2010 Highway Capacity Manual freeway segment analysis, which requires more input data than exclusively using the service volumes used in this DEIR.

Caltrans would like to review the postprocessor and a more detailed summary of the methodology used to develop the forecast volumes used to determine the level of service of US 50 and SR 49. Raw volumes from travel demand models are seldom used in traffic analysis; however, the difference in volumes between forecast years and/or scenarios applied to applicable base year count volumes is standard of practice. The document does not clearly state whether this methodology was used or not. The “difference” method should have been used to develop future volumes.

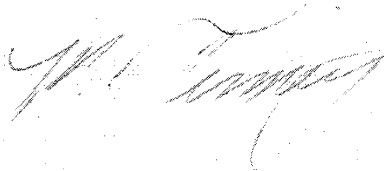
*“Provide a safe, sustainable, integrated and efficient transportation system
 to enhance California's economy and livability”*

Ms. Purvines - Long Range Planning, El Dorado County
Targeted General Plan Amendment and Zoning Ordinance Update (TGPA-ZOU) - DEIR
July 23, 2014
Page 6

Please provide our office with copies of any further actions regarding this project. We would appreciate the opportunity to review and comment on any changes related to this project.

If you have any questions regarding these comments or require additional information, please contact Robert J. Peters, Intergovernmental Review Coordinator, at (916) 274-0639 or by email at: robert.j.peters@dot.ca.gov.

Sincerely,



MARLO TINNEY
Chief, Office of Transportation Planning – East

Cc: Scott Morgan, State Clearinghouse

*"Provide a safe, sustainable, integrated and efficient transportation system
to enhance California's economy and livability"*

Attachment A

TABLE 13: US 50 BASIC SYSTEM OPERATIONS															
Seg. #	County	Post Miles	Distance (Miles)	Average Annual Daily Traffic			Level of Service (LOS)				Vehicle Miles Traveled (VMT)			Delay	
				Base Year (BY)*	No Build (Horizon Year (HY))*	Build (HY)	B Y	No Build (HY)	Build (HY)	Concept LOS	BY	No Build (HY)	Build (HY)	Daily Vehicle Hours of Delay	Daily Person Hours of Delay
1	YOL	0.00/3.16	3.16	176,000	206,000	210,000	E	F	F	E	337,274	394,000	402,000	228	310
2	SAC	L0.00/L2.48(R0.00)	2.48	246,000	279,000	300,000	F	F	F	E	452,373	513,000	552,000	1,697	2,309
3		R0.00/R5.34	5.34	206,000	249,000	265,000	F	F	F	E	959,231	1,158,000	1,235,000	1,708	2,323
4		R5.34/R10.92	5.58	171,000	226,000	234,000	F	F	F	E	660,438	873,000	905,000	509	692
5		R10.92/12.50	1.58	141,000	196,000	204,000	E	F	F	E	194,349	271,000	281,000	204	278
6		12.50/17.01	4.51	117,000	160,000	161,000	F	F	F	E	630,648	862,000	866,000	565	768
7		17.01/23.14	6.13	91,000	113,000	132,000	F	F	F	E	521,760	645,000	759,000	158	215
8		0.00/0.86	0.86	91,000	100,000	110,000	F	F	F	E	81,060	89,000	98,000	59	80
9	ELD	0.86/R3.23	2.37	70,000	94,000	105,000	E	F	F	E	127,860	171,000	191,000	10	13
10		R3.23/6.57	3.34	61,000	86,000	84,000	D	F	D	E	207,994	294,000	286,000	51	70
11		6.57/R8.56	1.99	61,000	73,000	77,000	D	E	D	E	170,099	203,000	216,000	15	20
12		R8.56/R15.06	6.5	52,000	67,000	71,000	C	D	C	E	307,233	396,000	420,000	16	21
13		R15.06/17.25	2.19	49,500	59,000	67,000	D	D	E	E	129,242	153,000	176,000	6	9
14		17.25/18.11	0.86	52,000	59,000	58,000	C	C	C	D	37,604	43,000	42,000	132	179
15		18.11/R25.95	7.84	30,000	35,000	35,000	C	C	C	E / D*	180,361	212,000	213,000	31	43
16		R25.95/R31.97	6.02	19,900	24,880	24,900	B	C	C	E	108,240	135,300	135,420	Not available for TCR corridor	
17		R31.97/39.77	7.65	12,700	15,880	15,890	B	C	C	D	97,160	121,450	121,560		
18		39.77/66.63	26.64	13,100	16,380	16,390	E	F	F	D	351,840	439,800	440,190		
19		66.63/70.62	3.99	10,900	13,630	13,640	E	E	E	D	36,270	45,340	45,380		
20		70.62/75.45	4.83	19,000	23,750	23,770	E	F	F	D	68,450	85,560	85,640		
21		75.45/80.44	4.99	33,000	42,900	42,940	E	F	F	E	159,040	206,750	206,930		

Note: Please see Appendix A: Glossary for explanation of these terms and performance measures.

*- Concept LOS on a segment that contains both urban and rural portions

271058

CHAPTER 84.12 HOME OCCUPATIONS

Sections:

- 84.12.010 Purpose
- 84.12.020 Applicability
- 84.12.030 Classes of Home Occupations Described
- 84.12.040 Allowed Land Use Zoning Districts and Permit Requirements
- 84.12.050 Prohibited Home Occupations
- 84.12.060 Allowed Home Occupations in Desert Region
- 84.12.070 Development Standards Applicable to all Classes
- 84.12.080 Class I Home Occupation Standards
- 84.12.090 Class II Home Occupation Standards
- 84.12.100 Class III Home Occupation Standards
- 84.12.110 Other Restrictions on Home Occupations
- 84.12.120 Nonconforming Home Occupations

84.12.010 Purpose

This purpose of this Chapter is to provide locational and operational standards to ensure that home occupations cause minimal impact(s) on neighboring parcels.

Adopted Ordinance 4011 (2007)

84.12.020 Applicability

This Chapter shall apply to all residential dwelling units in the County, including legal nonconforming residential dwelling units. However, this Chapter shall not apply to a childcare institution, child day care facility, group home, adult day care facility or any other social care facility that is licensed by the appropriate Federal, State, or local agency. Refer to Chapter 84.23 (Social Care Facilities) for provisions governing those types of uses.

Adopted Ordinance 4011 (2007)

84.12.030 Classes of Home Occupations Described

Home occupations are commercial uses that are accessory and incidental to a residential land use and that clearly do not alter the character or the appearance of the residential environment. Home occupations shall be separated into the following three classes of operations.

- (a) **Class I Home Occupation.** Class I Home Occupations shall have no impact on the neighborhood in which they are located. Work is performed exclusively by phone and mail, or over the Internet; or the work is the activity of creative artists, music teachers, academic tutors, or similar educational instructors, and the activity is limited so that there are no impacts on the neighborhood. Typical activities shall include artist, writer, composer, teleworker, network marketer, music teacher, etc.

- (b) **Class II Home Occupation.** Class II Home Occupations shall have a limited impact on the neighborhood in which they are located. Generally, only one nonresident employee shall be allowed and only a limited number of customers or clientele may visit the site. In the Mountain and Desert Regions, up to two nonresident employees may be permitted subject to the approval of the Director. Typical activities shall include pet groomer, hair stylist (one work station), tax consultant, yard maintenance, etc.

- (c) **Class III Home Occupation.** Class III Home Occupations shall have a limited impact on the neighborhood in which they are located but also are slightly more intense than Class II in that they may involve the direct sales of products or merchandise to the public. Subject to specific standards in Section 84.12.100 (Class III Home Occupation Standards), up to five nonresident employees shall be allowed. Typical activities shall include an activity that has direct sales of products or merchandise or requires more than two nonresident employees. Certain allowed activities may also include those listed in 84.12.060 (Allowed Home Occupations in Desert Region).

Adopted Ordinance 4011 (2007)

84.12.040 Allowed Land Use Zoning Districts and Permit Requirements

Table 84-7 (Allowed Land Uses Zoning Districts and Permit Requirements for Home Occupations) indicates the regions in which home occupations shall be allowed and the permit requirements for each class of home occupation.

**Table 84-7
Allowed Land use zoning districts and Permit Requirements for Home Occupations**

Class of Home Occupation	Where allowed	Permit Requirements
Class I Home Occupation	Residential land use zoning districts in Desert, Mountain, and Valley Regions	None required. ⁽¹⁾
Class II Home Occupation	Residential land use zoning districts in Desert, Mountain, and Valley Regions	Special Use Permit renewable every 24 months.
Class III Home Occupation	Residential land use zoning districts in Desert Region only	Special Use Permit renewable every 24 months.

Notes:

- (1) If the operator needs documentation that his/her business is legal, a Home Occupation Permit may be issued for the home occupation operations using the procedures for a Class II Home Occupation Permit.

Adopted Ordinance 4011 (2007); Amended Ordinance 4098 (2009)

84.12.050 Prohibited Home Occupations

Except as provided in Section 84.12.060 (Allowed Home Occupations in Desert Region), the following uses are not incidental to or compatible with residential activities and shall not be allowed as home occupations:

- (a) Animal hospitals.
- (b) Motor vehicle and other vehicle repair (body or mechanical) to include the repair of engine, muffler or drive train components of the vehicle; upholstery; painting or storage.
- (c) Carpentry and cabinet making, not to include woodworking that results in the creation of small wood products or single pieces of furniture.
- (d) Food preparation and food sales.
- (e) Kennels or catteries.
- (f) Massage parlors.
- (g) Medical and dental offices, clinics, and medical laboratories.
- (h) Repair shops or service establishments, except repair of small electrical appliances, cameras, or other similar items.
- (i) Riding stables.
- (j) Large scale upholstery service, not to include the reupholstering of separate, individual pieces of furniture or other objects.
- (k) Welding and machining.
- (l) Vermicomposting.
- (m) Any other use determined by the Director that is not incidental to and/or compatible with residential activities.

Adopted Ordinance 4011 (2007)

84.12.060 Allowed Home Occupations in Desert Region

In the Desert Region only, the uses listed in Section 84.12.050 (Prohibited Home Occupations) may be allowed as a home occupation on parcels greater than two and one-half acres if approved by the Director. Applications for approval of Home Occupation Permits for the listed uses that are normally prohibited shall be considered by the Director on a case-by-case basis in the Desert Region.

Adopted Ordinance 4011 (2007)

84.12.070 Development Standards Applicable to all Classes

The operators of home occupations shall make every attempt to be a “good neighbor” and respect the rights of their neighbors. All classes of home occupations shall adhere to the following standards:

- (a) **Accessory to residential land use.** Home occupations shall only be allowed as an accessory use to a legal residential land use.
- (b) **Activities limited to enclosed structure.** The home occupation shall be confined to an enclosed structure, either the residence itself or an authorized accessory structure as described in Section 84.01.050 (Residential Accessory Structures and Uses).
- (c) **Advertising materials.** Public advertising (e.g., handbills) shall only list: phone number, home occupation operator's name, post office box, and description of business. Location information shall be limited to community name only. The business address or location shall not be included in any public advertising, with the exception of a telephone directory (i.e., white pages) and business cards.
- (d) **Commercial delivery vehicles.** The home occupation shall not involve the use of commercial vehicles for the delivery of materials to or from the premises beyond those commercial vehicles normally associated with residential uses.
- (e) **External appearance.** The appearance of the structure shall not be altered nor shall the occupation within the residence be conducted in a manner that would cause the premises to differ from its residential character either by the use of colors, materials, construction, lighting, or signs.
- (f) **Hazardous materials.** Chemicals, solvents, mixtures or materials that are corrosive, toxic, flammable, an irritant, a strong sensitizer, or other similar materials used in a home occupation shall be used and stored in compliance with regulations of the Fire Department.
- (g) **Light and glare.** Direct or indirect light from a home occupation activity shall not cause glare onto an adjacent parcel in compliance with Chapter 83.07 (Glare and Outdoor Lighting).
- (h) **Noise.** Noise emanations shall not exceed 55 dB(A) as measured at the property lines at all times.
- (i) **Parking.** Parking shall comply with the parking requirements outlined in Chapter 83.11 (Parking and Loading Standards). Additional on-site parking beyond that required in Chapter 83.11 (Parking and Loading Standards) shall be provided for additional vehicles used in connection with the home occupation. One additional parking space shall be provided for each non-resident employee. Additional parking

spaces shall be easily accessible (including accommodation for winter conditions in the mountains).

- (j) **Pedestrian and vehicular traffic.** Pedestrian and vehicular traffic shall be limited to that normally associated with residential land use zoning districts.
- (k) **Property owner's permission for tenant operation.** If a tenant of the property is to operate the home occupation, notarized written permission from the property owner for the use of the property for the home occupation shall be submitted.
- (l) **Odors and vibrations.** No equipment or processes used on the subject property shall create smoke, fumes, odors, or vibrations that are disruptive to surrounding properties.
- (m) **Other required permits.** Permits required from other agencies and departments shall be submitted with the Home Occupation Permit application.
- (n) **Outdoor activity time limits.** No process, operation, or activity shall result in the appearance of parts, equipment, materials, tools, or supplies outside a structure for the purpose of the process, operation, or activity so that they can be observed for time periods of 30 or more consecutive minutes from a position of driving or walking on the public streets.
- (o) **Outdoor storage.** No outdoor storage of equipment, materials or supplies or display of goods or products shall be allowed. In the Desert Region, if the subject property is at least five acres in area, outdoor storage shall be allowed if properly screened from view.
- (p) **Street address.** The street address shall be prominently posted on the property so that it is easily visible from the street.
- (q) **Utilities and community facilities.** The uses of utilities and community facilities shall be limited to that normally associated with the use of property for residential purposes.

Adopted Ordinance 4011 (2007)

84.12.080 Class I Home Occupation Standards

- (a) **Work activities.** All work shall be performed exclusively by phone and mail, or over the Internet, or shall be the activity of creative artists.
- (b) **Sales.** No sales of products on the premises, except produce (fruit and vegetables) grown on the subject property, shall be allowed.
- (c) **Number of customers.** The only customers or clientele who may visit the residence shall be those identified in Subsection B (Sales), above, and the students of music teachers, academic tutors, and similar instructors. The instruction of the students shall

be provided on an individual basis and by appointment only. More than one student from the same family shall be considered as being on an individual basis.

- (d) **Residency requirements.** Employees, partners, or operators of the home occupation shall be members of the resident family and shall reside on the premises.
- (e) **Storage area.** Up to 25 percent or 250 square feet, whichever is greater, of the total floor area of the dwelling unit and related accessory structures, may be used for storage of materials and supplies related to the home occupation.

Adopted Ordinance 4011 (2007)

84.12.090 Class II Home Occupation Standards

- (a) **Sales.** No sales of products on the premises, except produce (fruit and vegetables) grown on the subject property, shall be allowed.
- (b) **Number of customers and monthly average trip count.** Except as provided in Subsection A (Sales), above, only a limited number of customers or clientele shall visit the residence. Each visit shall be only by appointment. This is restricted to a single appointment at a time. The monthly average of the total trip count for personal and business activities shall not exceed 12 trips per day.
- (c) **Residency requirements.** All employees, partners, or operators of the home occupation, **except one**, shall be members of the resident family and shall reside on the premises provided all the required standards are met. In the Mountain Region and Desert Region, the Director may authorize a **second** nonresident employee, provided all required standards can be met. For purposes of this Section, business employees shall not include childcare or domestic help.
- (d) **Parking requirements.** The applicant shall demonstrate that the parcel can accommodate the parking of all personal and employee vehicles on-site.
- (e) **Storage area.** Up to 25 percent or 250 square feet, whichever is greater, of the total floor area of the dwelling unit and related accessory structures, may be used for storage of materials and supplies related to the home occupation.
- (f) **Operating hours.** Operating hours of a home occupation shall be between the hours of 7:00 a.m. and 8:00 p.m.

Adopted Ordinance 4011 (2007)

84.12.100 Class III Home Occupation Standards

- (a) **Minimum parcel size.** The parcel shall be at least one acre in area.
- (b) **Sales.** Direct sales of products or merchandise to the public shall be allowed.

- (c) **Number of customers and monthly average trip count.** Only a limited number of customers or clientele shall visit the residence and then only by appointment. This is restricted to a single appointment at a time. The monthly average of the total trip count for personal and business activities shall not exceed 20 trips per day.
- (d) **Residency requirements.** All employees, partners, or operators of the home occupation, except two, shall be members of the resident family and shall reside on the premises provided that all the required standards can be met. If the subject property is at least five acres in area, a total of five non-resident employees shall be allowed. For the purposes of this Section, business employees shall not include childcare or domestic help.
- (e) **Parking.** The applicant shall demonstrate that the parcel can accommodate the parking of all personal and employee vehicles on-site.
- (f) **Signs.** A non-illuminated identification sign, not to exceed 12 square feet in area and stating the business name and telephone number, shall be allowed. If not attached to the residence, a sign shall not exceed six feet in height and shall blend with the architectural style of the structure and the neighborhood. The sign shall only be allowed in a land use zoning district other than RS (Single-Family Residential) or RM (Multi-Family Residential).
- (g) **Storage area.** Up to 35 percent of the total floor area of the dwelling unit and related accessory structures or 500 square feet, whichever is greater, may be used for storage of materials, supplies, and equipment related to the use.
- (h) **Operating hours.** Operating hours of a home occupation shall be between the hours of 7:00 a.m. and 8:00 p.m.

Adopted Ordinance 4011 (2007)

84.12.110 Other Restrictions on Home Occupations

Nothing in this Chapter shall prevent a homeowner's association or a landlord from adopting a rule, regulation, or by-law prohibiting home occupations on the premises under their respective jurisdictions. The rule, regulation, or by-law applicable to a property shall supersede the provisions of this Chapter. In addition, nothing in this Chapter shall preclude, invalidate, or override an existing covenant, by-law, rule, or regulation of a common interest community, housing cooperative, or landlord that prohibits home occupations or that more strictly restricts or regulates home occupations than as provided in this Chapter.

Adopted Ordinance 4011 (2007)

84.12.120 Nonconforming Home Occupations

If a property owner has received an approved Home Occupation Permit and continues to operate the business in compliance with that permit, but no longer meets the standards established for the permit, the operator may apply for renewals of the permit every 24 months as long as the

business remains in continuous operation. The operations shall be considered as a legal, nonconforming use. If the use is discontinued for 180 days or longer, it shall be deemed terminated and the permit shall not be renewed.

Adopted Ordinance 4011 (2007)

CHAPTER 84.13 MESSAGE SERVICES

Sections:

- 84.13.010 Purpose
- 84.13.020 Applicability
- 84.13.030 Development Standards

84.13.010 Purpose

The purpose of this Chapter is to provide development standards for establishments providing massage services.

Adopted Ordinance 4011 (2007)

84.13.020 Applicability

The development standards provided in this Chapter shall apply to massage services where allowed in compliance with the provisions of Division 2 (Land Use Zoning Districts and Allowed Land Uses).

Adopted Ordinance 4011 (2007)

84.13.030 Development Standards

A business providing massage services shall be located at least 750 feet from another business providing massage services or from any adult oriented business.

Adopted Ordinance 4011 (2007)

PC 8/18/14
Linnea Marengo
#1

August 17, 2014

Planning Commission

El Dorado County

Dear Sirs:

We are writing to encourage the Planning Commission to move forward expeditiously to approve the TGPA and draft ZOU, or some close facsimile thereof. Many of us have worked for years to submit our recommendations as rural land property owners and residents and agricultural producers. We have worked diligently and tirelessly to put forth recommendations which would benefit both rural land property owners and the County. We speak from experience, not theory.

We understand there will never be a 'perfect' General Plan or 'perfect' zoning ordinances. But to hold up this multi-year process further in hopes of satisfying all of the differing points of views within the County does harm to many of us in the rural regions. We have waited patiently with the understanding and trust that there would be revised zoning ordinances coming in a timely fashion to help us. This wait must come to an end. There finally comes a time to fish or cut bait. If the fish is left struggling too long on the line, the fish dies, and at the same time does not become bait nor a meal for anyone. We lose.

We want to support income revenue for both ourselves as well as the County. For example, we have come forward for years now requesting an Agricultural Homestay ordinance, which still has not been approved. Yet, there is a need within our County to allow more individuals to come, play, stay, leave money, and go back home. Additionally, we have participated in developing a Home Occupation Ordinance which would allow us to stay at home and work and create jobs. This would encourage more jobs, less traffic, less air pollution, more stable family life, and increased revenue for the County.

One alternative to rural commerce on rural lands is to split our parcels, selling off land at a low price in order to preserve some form of income on rural lands.

We sincerely request the Planning Commission help to preserve and protect our rural lifestyle by moving forward in a timely fashion with the process to amend the General Plan and update the zoning ordinances. Thank you in advance.

Sincerely,

Linnea Marengo



Bill Bacchi



Rural Lands Subcommittee

PC 8/18/14
Ellen Van Dyke
#1
4 pages

Members of the Planning Commission:

I support implementing General Plan policies that will protect the rural character of our county. However, the Zoning Ordinance changes as proposed go far beyond implementing the voter-approved 2004 General Plan, and in fact, the proposed changes *remove* protective policies and mitigations that were intended to preserve our rural nature.

I ask that you consider the attached list of concerns, then make the following overall recommendation to the BOS regarding the TGPA/ZOU:

Withdraw the dEIR, and re-issue it based on a revised project description that meets the stated goals WITHOUT increasing density throughout the county.

Project Concerns and recommendations:

1. Contrary to staff assertions, the TGPA does indeed grant density increasing entitlements throughout the rural regions. Due to the manner in which inconsistencies between Table 2-4 and Policy 2.2.1.2 have been addressed, parcels zoned AE with minimum size of 20 acres are proposed for automatic rezone to 10 acre minimum parcel size zoning countywide.

Specific examples include APN's 105-010-10 and 074-050-10, encompassing 1200 acres of agricultural land that is instantly entitled to minimum 10 acre lots. This is a two-house entitlement turned into 120 potential parcels without any site specific review, and it is being repeated throughout the county's Rural Region.

The rationalization for this change includes assertions that 1) the LDR policy text cannot be revised, 2) that AE zoning requires immediate parcel rezone after a Williamson Act rollout, and 3) that uses allowed in the AE zone are 'too limiting'. None of these things are actually true. Recommendations for changes to the TGPA project description are:

- a) ***Amend Policy 2.2.1.2 text to include parcels of 20 acres in size within LDR.***
 - b) ***Remove the blanket 'zone change for all AE parcels' from the project.***
 - c) ***Consider amending the AE zone district standards to expand uses for rolled out parcels if required for reasonable use of the property.***
2. The interpretation of 'no mapping changes' has resulted in a strict-and-unthinking adherence to density increasing solutions. It has also resulted in new inconsistencies, such as 1 acre parcels placed in zones with 10 acre minimum parcel size (ie: APN's 069-050-08 and 069-050-20), and more.
 - a) ***Revise the project description to achieve consistency with the least impact, focusing on NOT increasing entitlements and density, and NOT creating additional inconsistencies.***
 3. The parcel containing Bass Lake constitutes Village R in Serrano's EDH Specific Plan, and is APN 115-400-12. The EIR for the EDH Specific Plan designated this area to be natural open space in perpetuity. Contrary to the TGPA project description in the draft EIR which claims no changes will be made to parcels in specific plans, the Bass Lake parcel is proposed for rezone to high intensity recreational use.

In response to inquiries from myself as well as the Bass Lake Action Committee (BLAC), Planning staff indicated the proposed change was based on the Parks and Trails Master Plan. However, there has been no new EIR, no site specific review, and no requisite public notice for a change to the EDH Specific Plan that would allow a community center and lighted ball fields in that location. Recommendations:

- a) ***Retain the natural open space designation for the Bass Lake parcel.***
 - b) ***Remove any other rezones of specific plan parcels proposed under the TGPA (ie: APN's 123-030-75, 123-020-10, 121-120-20, and 123-040-08 thru -11).***
 - c) ***Confirm that RF-H is not proposed for other natural open space parcels elsewhere in the county via the TGPA/ZOU.***
4. Review of Community Region Boundaries (CRB's) was listed in the ROI's for this TGPA. The claim that CRB's were discussed at length and the determination made that no revisions were needed is a completely false assertion. All discussions regarding CRB's centered around whether or not they needed to be discussed. There was never a site specific review, and if there was, it has not been documented nor was it held publicly or with any transparency.
- a) ***Revise the project description to include a review of the Community Regions for possible contraction (.or expansion..) of the boundaries, countywide, and specifically for the Green Valley corridor, Cameron Park, and Shingle Springs areas.***
 - b) ***Include a review of LDR designated lands within the CRB's in the project.***
5. Lands designated LDR (Low Density Residential) within a CRB are considered as 'holding zones' per policy 2.2.1.2. This puts a target for development on those parcels, and leaves an unknown element to both the developers and the impacted land owners. Recommendation:
- a) ***Revise the LDR definition under policy 2.2.1.2 to eliminate LDR within the Community Region as a holding zone for future high density development.***
6. The project references "Opportunity Areas" without any specifics being provided as to where they occur. Yet staff is very up-front about the intention to target these areas for development, and streamlining the process to make that development happen.
- a) ***Eliminate all references to Opportunity Areas, or include specific mapping of the targeted parcels along with any proposed policy verbiage.***
7. The Travel Demand Model (TDM) is riddled with flaws, and while it has not yet been adopted, it is currently being utilized for project approvals (ie: EDH Apartment project in Town Center). Please reference the public comment letter from Don Van Dyke, 8/18/14. Recommendation:
- a) ***Do not approve the TDM until the flaws have been corrected, as discussed in the above referenced letter, and remove it from use until then.***
8. The proposed Home Occupancy Ordinance (HOO) removes protections for retaining the residential character of a neighborhood by allowing employees and removing visual aesthetic constraints.

The HOO was said to have been based on models from other jurisdictions, specifically San Bernardino . However, the ordinance as drafted bears little similarity, and goes far beyond what is allowed there or elsewhere.

- a) ***Please send the HOO back to Planning for further revision and analysis.***
- b) ***Remove the allowance for employees in residential areas.***
- c) ***Return the restriction regarding display of goods and vehicles from adjacent properties, and not just from the roadway.***
- d) ***Amend 17.40.160A to continue to require that home occupations be "incidental" to the residential use of the property, in order to retain the residential character of the neighborhood.***

9. Planned Development (PD) applications currently require 30% open space. County staff has said that more open space would be provided if requiring open space was 'the norm' rather than only a requirement under a PD. Per staff, developers can simply avoid a PD by requesting only 49 parcels (staying under the 50 parcel limit) and avoid the open space provision. The solution presented in the TGPA is to eliminate policy 2.2.5.4 requiring a PD, without adding the open space requirement back in elsewhere. This is NOT a solution.

Existing policy 2.2.5.4 actually addresses this problem by requiring a PD (...along with the requisite open space) if there is the *potential* for 50 lots or more. The PD and its' open space requirements are part of the protections within the existing General Plan to retain the county's rural character, and should not be removed.

Additionally, policy 2.2.3.1 has been re-written to exempt commercial, mixed use, and multi-family residential developments from the open space requirements. This may benefit developers, but is NOT of any benefit to county residents and should not be approved.

- a) ***Do NOT eliminate the PD or open space requirements***
- b) ***Add the open space requirement to all subdivision applications rather than just those submitted under a PD***
- c) ***Do NOT approve policy 2.2.3.1 revisions that sacrifice open space protections that are integral to the General Plan goals and policies.***

10. What is proposed now versus what will be done later to implement the Biological Resources policies has not been made clear at all. And setbacks to riparian are said to be increased when in fact they are being reduced. Confusion reigns. Proposed ordinance 17.30.030G(5)a actually eliminates all substantive protections with a virtual free-for-all:

17.30.030G Protection of Wetlands and Sensitive Riparian Habitat

5) Exceptions; Conditionally Permitted Uses.

- a. The uses, structures and activities allowed in the applicable zone are allowed within riparian areas with an approved Minor Use Permit.

- a) ***Remove proposed policy 17.30.030G(5)a which allows any use within riparian setbacks.***
- b) ***Please revise proposed ordinance 17.30.030G(3)d to implement the 50'/100' setbacks rather than reducing them to 25'/50'***
- c) ***Actually ENFORCE this requirement rather than allowing exceptions every time an 'expert' claims zero setbacks are ok.***
- d) ***Revise the project to fully include implementation of protective policies for biological resources, and re-circulate the draft EIR.***

11. **Please amend or remove all of the following items from the project:**

- a) Do not approve the exemptions under proposed Noise Standards ordinance 17.37.020. Blanket exemptions for agricultural uses (E), construction activities (I), and churches (G), and allowing chainsaws in the middle of the night for cutting firewood (K), is unreasonable and unnecessary.
- b) Do not remove Table TC-2 to some other unspecified document. This table is a protection against worsening traffic conditions, and there is no discussion as to why moving it would be beneficial.
- c) 17.37.070B allows self monitoring of amplified sound. This should be removed, as 'self monitoring' is not a mitigation either logically or legally.
- d) 17.37.070A loosens the standards for where sound walls may be utilized. Our rural county has benefitted aesthetically from restricting rampant use of sound walls, and this requirement should not be changed.
- e) Amend proposed Policies 2.2.4.1/2.2.3.1 to retain public benefit of open space. Private backyard area should not be included in the calculation of open space.
- f) Policy 10.2.1.5 should not be amended to "may" rather than "shall", in assuring that no net cost burden is shifted onto existing residents in a PFFP.
- g) Policy 2.2.5.10 should not be amended to eliminate the requirement of "no adverse affect" when establishing agricultural support services.
- h) Land Development Manual section 4.2.2F should not categorically exempt agriculture from grading policies.
- i) Codifying standards for wetland/riparian setback should be done together as part of the TGPA, and most definitely not afterward.
- j) The expansion of commercial uses into the rural regions is hugely problematic , particularly with policy 2.2.1.2 simultaneously changing the verbiage for incompatible uses to 'discouraged' rather than 'prohibited'. Protections are being removed for existing residents.
- k) There is NO WAY that in-lieu fees should be allowed for meeting open space requirements in the Community Regions.
- l) Do NOT approve the proposed change to policy 8.2.4.2 which eliminates the Special Use Permit (SUP) requirement for 'Visitor serving uses and facilities'. SUP's provide appropriate site specific review for wine tasting facilities where public events are held, stables, camping and lodging facilities, etc.

The proposed TGPA/ZOU overwhelmingly packs density into the Community Regions with very little benefit to those who live there, but the Rural Regions are not unscathed (see item 1). The simultaneous reduction of open space, riparian protections, and delay of oak woodland policy implementation, make this project a gift to developers. Aside from the wishes of the agricultural community, citizen comments from the 2012 NOP have been largely ignored.

If you make a recommendation to the Board based on the information you have in hand today, you will be disregarding 981 pages of public comment regarding the projects' impact, and whatever information might be returned from staff in response.

Please recommend to the Board of Supervisors that the project description be revised, and re-circulate the draft EIR.

Ellen Van Dyke
Rescue