



## RESOLUTION NO.

### OF THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO

#### Adopting an Amendment to the El Dorado County General Plan Land Use Element, Policy 2.2.1.5, Table 2-3, Building Intensities

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

**WHEREAS**, the El Dorado County Board of Supervisors, upon further review of the impacts and limitations of General Plan Policy 2.2.1.5 on non-residential development, initiated an amendment to the General Plan on April 18, 2006, with the approval of a Resolution of Intention to amend General Plan Policy 2.2.1.5 and directed the preparation of a supplemental environmental review of the potential impacts of the proposed change to the policy ("the Project"); and

**WHEREAS**, the General Plan amendment review process was built on the public review process and included a noticed hearing on the CEQA Notice of Preparation (NOP), a noticed hearings on the draft Supplement Environmental Impact Report (SEIR), and the preparation of responses to the SEIR; and

**WHEREAS**, the Board of Supervisors independently reviewed the SEIR, related staff reports, the record of the Planning Commission, and all evidence including testimony and correspondence received at the Planning Commission hearings on the recommended amendment to the Land Use Element; and

**WHEREAS**, to ensure consideration of all available options the County reviewed three alternatives and evaluated each of those alternatives in the SEIR; and

**WHEREAS**, substantial evidence in the record demonstrates various benefits for which the County will derive from the implementation of the General Plan FAR Amendment, including:

1. Provide the highest designation for job and revenue producing commercial, industrial, and research and development land uses. This capacity will allow for the most efficient, market-based

allocation of commercial, industrial, and research and development growth as population increases in the County.

2. Plan for growth in a way designed to provide more employment options for the County's new and existing residents. The General Plan FAR Amendment will increase the amount of square footage that can be developed on commercial, industrial, and research and development parcels, complementing and advancing the County's efforts toward attracting new businesses, which can supply employment opportunities for County residents.
3. Maintain continuity of economic development policies to provide stability and certainty to the El Dorado County business community, residents, and investors in El Dorado County businesses. The General Plan FAR Amendment is consistent with the intent of adopted policies directed toward increasing employment opportunities and providing the planning framework appropriate to develop regional employment and retail centers.
4. Establish Floor Area Ratios that are competitive with communities in the region, including the City of Folsom, Placer County, the City of Roseville, Sacramento County, and Tuloumne County. The increase in FAR would give the County an opportunity to complete for the development of regional employment centers.
5. Increase in opportunity for employment choices for the County's citizens while not increasing the acreage of lands designated for development. The General Plan FAR Amendment will provide for a wide range of retail services and business development.
6. Best reflects the community's expressions of quality of life and community values and guides the County's growth through 2025 in a manner consistent with the community's vision. The General Plan FAR Amendment encourages a balance between population growth, economic development, and the need to protect the environment.
7. Best maintains the County's rural character and provides opportunities for residents desiring a rural lifestyle by not designating additional lands for employment-generating uses, but rather increasing the development potential of lands already designated for commercial, industrial, and research and development uses.

**WHEREAS**, that the El Dorado County Board of Supervisors, by Resolution No. [REDACTED] has certified the SEIR on the General Plan amendment (SCH #2001082030) pursuant to the California Environmental Quality Act, evaluated various mitigation measures and alternatives to the amendment and made findings concerning the feasibility of

those measures and the overriding considerations supporting adoption of the Project; and

**WHEREAS**, the Board of Supervisors independently reviewed the EIR, related staff reports, the record of the Planning Commission, and all evidence including testimony and correspondence received at the Planning Commission hearings.

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

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

**Policy 2.2.1.5**

*The General Plan shall provide for the following building intensities in each land use designation as shown in Table 2-3.*

**General Plan Table 2-3  
Building Intensities**

Land Use Designation	Floor Area Ratio*	
	<u>Community Regions</u>	<u>Rural Centers/Rural Regions</u>
Multifamily Residential		
High-Density Residential		
Medium-Density Residential		
Low-Density Residential		
Rural Residential		
Natural Resource		
Commercial	<u>.25 - 0.85</u>	<u>.25</u>
Research & Development	<u>.25 - 0.50** (delete **)</u>	<u>.25</u>
Industrial	<u>.25 - 0.85</u>	<u>.25</u>
Open Space		
Public Facilities		
Tourist Recreational		

*\*Ratio of allowable floor area (square footage) to site area (square footage). The FAR can be calculated over an entire integrated development rather than on a project-by-project basis under the following circumstances: 1) the aggregate average FAR within applicable land use designations does not exceed the General Plan maximum; or 2) satisfactory evidence is provided that demonstrates on a site-specific basis that measures will be imposed to keep traffic at levels associated with the applicable FAR threshold.*

*\*\*Shall not exceed 0.30 for the El Dorado Hills Business Park based on limitations established on employees in Policy TC-1y. In order to document overall compliance with the purposes of both the FAR limitation herein and the employee cap in Policy TC-1y, all projects within the Business Park that would individually exceed 0.25 FAR must undergo review and approval by the County.*

2. The Board of Supervisors finds that adoption of the amendment to the General Plan is in the public interest.
3. The Board of Supervisors hereby adopts the amendment to the General Plan Mitigation Monitoring Plan attached hereto as Exhibit 1 (Mitigation Monitoring Plan) to ensure implementation of feasible mitigation measures identified in the SEIR. The Board of Supervisors finds that these mitigation measures are fully enforceable as implementation measures of the General Plan, and shall be binding upon the County and affected parties.
4. The Board of Supervisors hereby directs staff to immediately commence to: a) file of a Notice of Determination documenting these decisions; b) retain a copy of the certified final SEIR as a public record and provide a copy to each responsible agency identified in the SEIR

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

**PASSED AND ADOPTED** by the Board of Supervisors of the County of El Dorado at a regular meeting of said Board, held the \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_, by the following vote of said Board:

**Attest:**  
Cindy Keck  
Clerk of the Board of Supervisors

**Ayes:**  
**Noes:**  
**Absent:**

By: \_\_\_\_\_  
Deputy Clerk

\_\_\_\_\_ Chairman, Board of Supervisors

**I CERTIFY THAT:**  
THE FOREGOING INSTRUMENT IS A CORRECT COPY OF THE ORIGINAL ON FILE IN THIS OFFICE.

**DATE:** \_\_\_\_\_

**Attest:** CINDY KECK, Clerk of the Board of Supervisors of the County of El Dorado, State of California. By: \_\_\_\_\_

**EXHIBIT 1**

to

**RESOLUTION OF *THE BOARD OF SUPERVISORS*  
OF THE COUNTY OF EL DORADO  
ADOPTING AN AMENDMENT TO THE EL DORADO COUNTY GENERAL PLAN  
LAND USE ELEMENT, POLICY 2.2.1.5, TABLE 2-3, BUILDING INTENSITIES  
CEQA MITIGATION MONITORING PLAN**

## SECTION A. INTRODUCTION

This document is the Mitigation Monitoring Plan (MMP) for the General Plan FAR Amendment. This MMP has been prepared pursuant to Section 21081.6 of the California Public Resources Code which requires public agencies to “adopt a reporting and monitoring program for the changes made to the project, adopted in order to mitigate or avoid significant effects on the environment.” A MMP is required for the proposed project because the EIR has identified significant adverse impacts, and measures have been identified to mitigate those impacts. Section K (Findings Regarding Impacts and Mitigation Measures) of Exhibit B (Findings of Fact) to Resolution       -2007 identifies all relevant, feasible mitigation measures necessary and available to mitigate significant impacts to acceptable levels.

The numbering of the individual mitigation measures follows the numbering sequence as found in the EIR. All revisions to mitigation measures that were necessary as a result of responding to public comments and incorporating staff-initiated revisions have been incorporated into this MMP.

## SECTION B. MITIGATION MONITORING PLAN

The MMP, as outlined in the following table, describes mitigation timing, monitoring responsibilities, and compliance verification responsibility for all mitigation measures identified in the Final Supplement to the 2004 El Dorado County General Plan Environmental Impact Report prepared for the General Plan FAR Amendment.

The County of El Dorado will be the primary agency responsible for implementing the mitigation measures. The MMP is presented in tabular form on the following pages. The components of the MMRP are described briefly below:

- **Mitigation Measures:** The mitigation measures appear in the same order that they appear in the El Dorado County General Plan FAR Amendment Draft Supplemental EIR. The mitigation measures have been amended to be incorporated directly into the Zoning Code, noise ordinance, and project review checklists, rather than as revisions to the General Plan.
- **Mitigation Timing:** Identifies at which stage of the project mitigation must be completed.
- **Monitoring Responsibility:** Identifies the department within the County responsible for mitigation monitoring.
- **Compliance Verification Responsibility:** Identifies the date and department of the County responsible for verifying compliance with the mitigation.

**TABLE 5.0-1  
MITIGATION MONITORING AND REPORTING PROGRAM**

Proposed Mitigation	Summary of Measure	Monitoring Responsibility	Timing	Verification (Date and Initials)
MM 5.2-1	Create development standards in the Zoning Code and design guidelines to specifically address the compatibility of more massive development in visually sensitive areas, such as areas with significant views and rural areas of the county. The standards shall consider issues unique to larger-scale development (visual intrusion, distant viewshed, shadowing of adjacent properties, glare, wind tunnel effects, emergency service, interruption of electronic transmissions, traffic and parking, noise and vibration). The standards shall also incorporate measures to reduce the visual effect of massive buildings and larger development footprints (varied rooflines, underground parking).	El Dorado County Development Services Department – Planning Services	Development standards shall be developed and incorporated into the next update to the Zoning Code	
MM 5.2-3	Development standards shall be adopted into the Zoning Code to limit glare-producing surfaces. These standards shall provide specific measures that reduce glare associated with increased building heights (such as limitations on the percentage of non-reflective surfaces above the first two stories of a building).	El Dorado County Development Services Department – Planning Services	Development standards shall be developed and incorporated into the next update to the Zoning Code	
MM 5.3-1	The County shall coordinate with El Dorado County Transit Authority to develop a County-wide transit management program. The program may include measures designed to promote alternative transportation (commuter buses, ridesharing, and public transit), identify incentives for use of alternative transportation, and incorporate incentives for employees to use alternative transportation.	El Dorado County Development Services Department – Planning Services; El Dorado County Department of Transportation	Transit management program shall be developed and brought to the Board for consideration prior to the next update to the TIM Fee Program	
MM 5.4-1	Work with the Water Agency and water service providers to develop and implement a water use efficiency program for application to existing and new residential, commercial/industrial, and agricultural water users for those areas not served by a water purveyor with an existing water	El Dorado County Development Services Department – Planning Services, El Dorado County Environmental Management	Water use efficiency program shall be developed and review of development	

Proposed Mitigation	Summary of Measure	Monitoring Responsibility	Timing	Verification (Date and Initials)
	<p>use efficiency program. The program shall include identification of the types of programs that must utilize reclaimed water and address the feasibility of such use, consistent with Policy 5.2.1.10. Amend the County Code to include water use efficiency requirements, which may include:</p> <ul style="list-style-type: none"> <li>• Water-conserving design and equipment in new construction, including single-family residential developments;</li> <li>• Water-conserving landscaping and other conservation measures for new residential development;</li> <li>• Use of Best Management Practices (BMPs) in Commercial, Industrial, and Institutional water use, including conditioning development projects to include BMPs (as recommended by the California Department of Water Resources Office of Water Use Efficiency, the California Urban Water Conservation Council, the American Water Works Association, or other conservation studies) in order to conserve water;</li> <li>• Retrofitting existing development with water conserving devices;</li> <li>• Water-conserving agricultural irrigation practices; and</li> <li>• Provide information/educational materials regarding water usage and conservation to the public.</li> </ul>	<p>Department</p>	<p>projects for consistency with water efficiency measures shall be added to the General Plan consistency checklists for residential and non-residential projects</p>	
<b>MM 5.5-1</b>	<p>The County shall require new non-residential development to provide a Waste Diversion Plan that identifies the total amount of waste that would be generated by the development, and includes measures (such as re-use of materials and contracts with recyclers or materials recovery</p>	<p>El Dorado County Development Services Department – Planning Services, El Dorado County Environmental Management</p>	<p>Submission of a Waste Diversion Plan shall be added to the General Plan consistency</p>	



Proposed Mitigation	Summary of Measure	Monitoring Responsibility	Timing	Verification (Date and Initials)
	<p>facilities) to divert waste to a level consistent with the state-mandated diversion rate for the County. The plan shall include a component on enforcement and monitoring and shall remain in effect for the life of the development. The development shall submit an annual report identifying the amount of waste generated by the business and the amount of waste diverted. If diversion rates are less than the state-mandated diversion rate for the County, the business shall modify their Waste Diversion Plan to include additional measures that will result in attainment of the specific diversion rate and reduce waste in subsequent years in an amount commensurate with the exceedance of the specified diversion rate.</p>	Department	checklists for non-residential projects	
MM 5.7-1	<p>The County shall revise its noise ordinance to include the requirement that all construction equipment operating within the County's jurisdiction shall be properly maintained and equipped with noise-reduction intake and exhaust mufflers and engine shrouds, in accordance with manufacturers' recommendations. Equipment engine shrouds shall be closed during equipment operation.</p>	El Dorado County Development Services Department – Planning Services	Revisions shall be incorporated into the update to the Noise Ordinance that is currently underway	
MM 5.7-2	<p>The County shall revise its noise ordinance to include the requirement that when not in use, motorized construction equipment operating within the County's jurisdiction shall not be left idling.</p>	El Dorado County Development Services Department – Planning Services	Revisions shall be incorporated into the update to the Noise Ordinance that is currently underway	
MM 5.7-3	<p>The County shall include in its noise ordinance a limitation on the hours of operation of stationary noise sources, including loading docks, trash compactors, waste collection, and other noise-producing activities associated with commercial areas which are located adjacent to existing or planned noise-</p>	El Dorado County Development Services Department – Planning Services	Revisions shall be incorporated into the update to the Noise Ordinance that is currently underway	

Proposed Mitigation	Summary of Measure	Monitoring Responsibility	Timing	Verification (Date and Initials)
	sensitive (e.g., residential) land uses.			
MM 5.8-1	The County shall ensure that measures are incorporated into development projects to reduce emissions of ozone-precursor and other air pollutants.	El Dorado County Development Services, El Dorado County Environmental Management Department/Air Quality Management Division	Requirement shall be incorporated into the next update to the Zoning Code	
MM 5.8-2	<p>The County shall review development projects to ensure that EDCAQMD-recommended mitigation measures are applied to reduce operational emissions of air pollutants. Such measures may include, but are not limited to, the following:</p> <ul style="list-style-type: none"> <li>• Promote increased Floor Area Ratios within existing urban areas (infill) and within ¼ to ½ mile of existing or planned transit facilities, job centers, or transportation nodes</li> <li>• New development shall be designed to preserve and ensure the dedication of rights-of-way for future public transit facilities;</li> <li>• New development shall incorporate traffic-calming measures within proposed development, where necessary;</li> <li>• Provide clearly marked and shaded pedestrian pathways between transit facilities, pedestrian walkways and trails, and building entrances</li> <li>• Provide preferential carpool/vanpool parking spaces</li> <li>• Provide transit facility improvements (e.g., pedestrian shelters, route information, benches, lighting)</li> <li>• Provide incentives to employees to rideshare or</li> </ul>	El Dorado County Development Services, El Dorado County Environmental Management Department/Air Quality Management Division	Review of development projects for consistency with EDCAQMD-recommended mitigation measures shall be added to the General Plan consistency checklists for residential and non-residential projects	

Proposed Mitigation	Summary of Measure	Monitoring Responsibility	Timing	Verification (Date and Initials)
MM 5.8-3	<p>take public transportation.</p> <p>Operational activities associated with proposed land uses that have the potential to emit toxic air contaminants (e.g., dry cleaning establishments and gasoline stations) shall be reviewed for land use compatibility. In accordance with General Plan Policies 6.7.6.1 and 6.7.6.2, sensitive receptors shall not be located near significant sources of air pollution. The County shall utilize the guidelines in the California Air Resources Control Board <i>Air Quality and Land Use Handbook: A Community Health Perspective</i>, or other guidance documents recommended by the EDCAQMD, when evaluating new development requests that either would generate toxic air contaminant emissions near sensitive receptors or would potentially locate new sensitive receptors near existing sources of air toxic emissions.</p>	El Dorado County Development Services Department – Planning Services, El Dorado County Environmental Management Department/Air Quality Management Division	Review of development projects for consistency with siting requirements shall be added to the General Plan consistency checklists for residential and non-residential projects	
MM 5.8-4	To improve traffic flow and decrease vehicular emissions, synchronization of signalized intersections, particularly those identified in the General Plan EIR as being the most busy or congested, shall be encouraged as a means to reduce congestion, conserve energy, and improve air quality.	El Dorado County Department of Transportation	Synchronization of congested intersections shall be incorporated into the annual updates to the TIM Fee and CIP Program	
MM 5.8-5	Land uses that have the potential to emit objectionable odorous emissions (e.g., dry cleaning establishments, sewage treatment plants, and gasoline stations) shall be reviewed for land use compatibility. In accordance with General Plan policies 6.7.6.1 and 6.7.6.2, sensitive receptors and significant sources of odors shall not be located near one another.	El Dorado County Development Services Department – Planning Services	Review of development projects for consistency with siting requirements shall be added to the General Plan consistency checklists for residential and non-residential projects	

<b>Proposed Mitigation</b>	<b>Summary of Measure</b>	<b>Monitoring Responsibility</b>	<b>Timing</b>	<b>Verification (Date and Initials)</b>
MM 5.9-1	The County shall review truck routes and shall revise routes as necessary to minimize heavy truck traffic in residential areas, and to minimize traffic noise impacts and the potential for exposure to accidental release of hazardous materials near sensitive land uses.	El Dorado County Department of Transportation	Revisions to truck routes shall be made as part of the implementation of General Plan Policy TC-1x and reported	