



RESOLUTION NO. 108-2014

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO

WHEREAS, on June 10, 2014, the Board of Supervisors of the County of El Dorado accepted the certification of an initiative petition entitled, AN INITIATIVE MEASURE TO AMEND THE EL DORADO COUNTY GENERAL PLAN REGARDING TRAFFIC AND LAND USE POLICIES; and

WHEREAS, pursuant to Elections Code section 9118(b), the Board of Supervisors ordered the measure to be placed on the Consolidated General Election to be conducted on November 4, 2014.

NOW, THEREFORE, BE IT RESOLVED the Board of Supervisors determines as follows:

1. The measure attached hereto as Exhibit A shall be submitted to the voters of the County of El Dorado at the Consolidated General Election to be held on November 4, 2014.

2. The ballot question submitted to voters shall be as follows:

Shall the ordinance be adopted amending the County of El Dorado General Plan to extend the Measure Y policies through 2025 and establish policies to (1) require annual reporting on traffic volumes and allocation of traffic impact mitigation fees, (2) emphasize improvements to local roadways when specifying expenditures in the Capital Improvement Program, (3) whenever possible rely first on state or federal funding for Highway 50 capacity-enhancing projects, and (4) encourage planning and zoning in Community Regions?

3. The Registrar of Voters is hereby authorized and directed to take all actions necessary for the conduct of the election, to canvass the results thereof and to certify the results to the Board of Supervisors. Said election shall be consolidated with all other elections occurring in the County on that date.

PASSED AND ADOPTED by the Board of Supervisors of the County of El Dorado at a regular meeting of said Board, held the 5th day of August, 2014, by the following vote of said Board:

Attest:

James S. Mitrison

Clerk of the Board of Supervisors

By:


Deputy Clerk

Ayes: Veerkamp, Briggs, Mikulaco, Santiago

Noes: None

Absent: None


Norma Santiago, Chair, Board of Supervisors

The people of the County of El Dorado ordain as follows:

Section 1. Title.

This initiative ordinance shall be known as the “Control Growth to Fix Our Local Roads Initiative” (the “Initiative”).

Section 2. Purpose and Findings.

A. Purpose. The purpose of this Initiative is to extend Measure Y through 2025 and improve upon its policies by requiring the County to prioritize local road improvements when allocating local transportation fees, limit sprawling traffic conditions by encouraging responsible planning and zoning within Community Regions where infrastructure, including roads, is already nearby, and provide annual reports to taxpayers on the traffic condition of local roadways and the efforts being made to alleviate traffic congestion.

B. Findings. The people of the County of El Dorado find and declare as follows:

1. In 1998, County voters approved the “Control Traffic Congestion Initiative” (Measure Y), and in 2008, voters amended and extended Measure Y for another ten years.
2. Measure Y has done an admirable job controlling growth and requiring new development to mitigate traffic impacts. However, Measure Y is now set to expire again in just four years. If Measure Y expires, these protections would be lost.
3. This Initiative extends Measure Y through 2025. It retains Measure Y’s existing requirements that new development must fully fund the cost of improvements to local roads which are needed to accommodate traffic, and that new single-family residential subdivision development projects of five or more parcels of land will not result in, or worsen, Level of Service F on Highway 50.
4. In addition, this Initiative improves upon Measure Y in three simple and straightforward, but important, ways.

5. First, this Initiative establishes a policy of, wherever permissible, relying on state and federal dollars for Highway 50 improvements and requiring the County to prioritize local road improvements when allocating our local transportation fees.
6. Second, this Initiative protects the rural nature of El Dorado County by directing growth away from rural areas and towards existing Community Regions by encouraging responsible planning and zoning within Community Regions where infrastructure, including roads, is already nearby.
7. Third, this Initiative makes the County more accountable to taxpayers by requiring annual reports on the traffic condition of local roadways and the efforts being made to alleviate congestion and better maintain our local roads.
8. For all of the reasons set forth above, the voters hereby find that this Initiative and the provisions set forth herein serve the public health, safety, and welfare of El Dorado County and are in the best interest of the County.

Section 3. General Plan Amendments.

The Transportation and Circulation Element of the El Dorado County General Plan, adopted July 2004 (and as amended, effective January 2009) (“General Plan”) is hereby amended to read as follows (deletions are shown in ~~striketrough~~ and insertions are shown in underline):

Policy TC-Xa The following policies shall remain in effect until December 31, ~~2018~~ 2025:

1. Traffic from single-family residential subdivision development projects of five or more parcels of land shall not result in, or worsen, Level of Service F (gridlock, stop-and-go) traffic congestion during weekday, peak-hour periods on any highway, road, interchange or intersection in the unincorporated areas of the county.

2. The County shall not add any additional segments of U.S. Highway 50, or any other roads, to the County's list of roads that are allowed to operate at Level of Service F without first getting the voters' approval or by a 4/5ths vote of the Board of Supervisors.

3. Developer-paid traffic impact fees combined with any other available funds shall fully pay for building all necessary road capacity improvements to fully offset and mitigate all direct and cumulative traffic impacts from new development upon any highways, arterial roads and their intersections during weekday, peak-hour periods in unincorporated areas of the county.

TABLE TC-2		
EL DORADO COUNTY ROADS ALLOWED TO OPERATE AT LEVEL OF SERVICE F¹		
(Through December 31, 2018 2025)		
	Road Segment(s)	Max. V/C²
Cambridge Road	Country Club Drive to Oxford Road	1.07
Cameron Park Drive	Robin Lane to Coach Lane	1.11
Missouri Flat Road	U.S. Highway 50 to Mother Lode Drive	1.12
	Mother Lode Drive to China Garden Road	1.20
Pleasant Valley Road	El Dorado Road to State Route 49	1.28
U.S. Highway 50	Canal Street to junction of State Route 49 (Spring Street)	1.25
	Junction of State Route 49 (Spring Street) to Coloma Street	1.59
	Coloma Street to Bedford Avenue	1.61
	Bedford Avenue to beginning of freeway	1.73
	Beginning of freeway to Washington overhead	1.16
	Ice House Road to Echo Lake	1.16
State Route 49	Pacific/Sacramento Street to new four-lane section	1.31
	U.S. Highway 50 to State Route 193	1.32
	State Route 193 to county line	1.51
Notes:		
¹ Roads improved to their maximum width given right-of-way and physical limitations.		
² Volume to Capacity ratio.		

- Policy TC-Xb To ensure that potential development in the County does not exceed available roadway capacity, the County shall:
- A. Every year prepare an annual Capital Improvement Program (CIP) specifying expenditures for roadway improvements within the next 10 years. At least every five years prepare a CIP specifying expenditures for roadway improvements within the next 20 years. Each plan shall contain identification of funding sources sufficient to develop the improvements identified;
 - B. At least every five years, prepare a Traffic Impact Mitigation (TIM) Fee Program specifying roadway improvements to be completed within the next 20 years to ensure compliance with all applicable level of service and other standards in this plan; ~~and~~
 - C. Annually monitor traffic volumes on the county's major roadway system depicted in the Circulation Diagram and provide an annual report to County taxpayers detailing the traffic volume of major roads and highways and how TIM fees have been allocated-; and
 - D. In specifying expenditures in the CIP, emphasis shall be placed on providing improvements to local roadways serving existing communities which are experiencing traffic congestion and areas designated as Community Regions in the General Plan.
- Policy TC-Xi The planning for the widening of U.S. Highway 50, and other improvements to State (Caltrans) facilities, consistent with the policies of this General Plan, including to prevent level of service F as provided in Policy TC-Xa (Measure Y), shall be a priority of the County. The County shall coordinate with other affected agencies, such as the City of Folsom, the County of Sacramento, and Sacramento Area Council of Governments (SACOG) to ensure that U.S. Highway 50 capacity enhancing projects are coordinated with these agencies with the goal of delivering these projects on a schedule to meet the requirements of the policies of

this General Plan, and whenever possible shall rely first on the use of State and/or federal funding for these projects, rather than County TIM fee revenues, in order to better utilize the TIM funding for County road improvements. Notwithstanding the foregoing, TIM fee revenues may be utilized for Caltrans facilities as matching funds, for various grants or programs, for any purpose consistent with or required by Policy TC-Xa (Measure Y), or when no other means of financing is available.

The Land Use Element of the El Dorado General Plan, adopted July 2004 (and as amended, effective December 2009) is hereby amended to read as follows (deletions are shown in ~~strikethrough~~ and insertions are shown in underline):

Policy 2.1.1.2 Establish Community Regions to define those areas which are appropriate for the highest intensity of self-sustaining compact urban-type development or suburban type development within the County based on the municipal spheres of influence, availability of infrastructure, public services, major transportation corridors and travel patterns, the location of major topographic patterns and features, and the ability to provide and maintain appropriate transitions at Community Region boundaries. These boundaries shall be shown on the General Plan land use map. In order to achieve the goals and objectives of protecting the County's rural environment and agricultural uses, the County shall, consistent with Policy 2.1.1.7, encourage planning and zoning within the Community Regions where existing infrastructure, such as roads, water, sewers, and power, is nearby.

Policy 2.1.1.7 Development within Community Regions, as with development elsewhere in the County, may proceed only in accordance with all applicable General Plan Policies, including those regarding infrastructure availability as set forth in the Transportation and Circulation and the Public Services and Utilities Elements. Accordingly, subject to Policy 2.1.1.2, development in Community Regions and elsewhere will be limited in some cases until such time as adequate roadways, utilities, and other public service

infrastructure become available and wildfire hazards are mitigated as required by an approved Fire Safe Plan.

Section 4. Implementation of this Initiative.

- A. Upon the effective date of this Initiative, the County shall proceed as expeditiously as possible to implement this Initiative. County staff shall promptly take any such administrative steps, consistent with the legislative policy established in this Initiative, as may be necessary to implement this Initiative.
- B. Upon the effective date of this Initiative, the provisions of Section 3 herein are hereby inserted into the General Plan; except that if the four amendments to the General Plan permitted by state law for any calendar year have already been utilized in the year in which this Initiative becomes effective, the General Plan amendments set forth in this Initiative shall be the first amendments inserted into the General Plan on January 1 of the next year.
- C. The General Plan in effect on the date of filing of the Notice of Intent to Circulate this Initiative (“Filing Date”) and the General Plan as amended by this Initiative comprise an integrated, internally consistent and compatible statement of policies for the County. To ensure that the County’s General Plan remains an integrated, internally consistent and compatible statement of policies for the County, any provision of the General Plan that is adopted between the Filing Date and the effective date of the General Plan amendments adopted by this Initiative shall, to the extent that such interim-enacted provision is inconsistent with the General Plan amendments adopted by this Initiative, be amended as soon as possible and in the manner and time required by state law to ensure consistency between the provisions adopted by this Initiative and other elements of the General Plan.

Section 5. Interpretation and Severability.

- A. This Initiative shall be broadly construed in order to achieve the purpose stated herein. The provisions of this Initiative shall be interpreted and

implemented by the County and others in a manner that is fully consistent with, and facilitates, the purpose set forth in this Initiative.

- B. If any portion, section, subsection, paragraph, subparagraph, sentence, clause, phrase or application of this Initiative is held invalid or inapplicable by a final judgment of a court of competent jurisdiction, such decision shall not affect the validity or applicability of any other part of this Initiative. Consistent with that, the provisions and applications of this Initiative shall be deemed severable, and the voters expressly and deliberately declare that each portion, section, subsection, paragraph, subparagraph, sentence, clause, phrase or application of this Initiative would have been enacted irrespective of the fact that one or more other parts or applications is found to be invalid or inapplicable.

Section 6. Conflicting Measures.

- A. This Initiative is intended to be comprehensive, and to ensure that this intent is not frustrated, this Initiative is presented to the voters as an alternative to, and with the express intent that it will compete with, any and all voter initiatives or County-sponsored measures placed on the same ballot as this Initiative and which, if approved, would amend the El Dorado County General Plan (each, a "Conflicting Initiative"). In the event that this Initiative and one or more Conflicting Initiatives are approved by a majority of voters at the same election, and this Initiative receives a greater number of affirmative votes than a Conflicting Initiative(s), this Initiative shall control in its entirety and said Conflicting Initiative(s) shall be rendered void and without any legal effect. If this Initiative is approved but does not receive a greater number of affirmative votes than said Conflicting Initiative(s), this Initiative shall have no force or effect.
- B. If this Initiative is approved by voters but superseded by law in whole or in part by any other Conflicting Initiative approved by the voters at the same election, and such Conflicting Initiative is later held invalid, this Initiative shall be self-executing and given full force of law.

Section 7. Amendment and Repeal.

This Initiative may be amended or repealed only by a majority of the voters of the County of El Dorado voting in an election held in accordance with law.

Section 8. Effective Date.

Pursuant to state law, if this Initiative is approved by a majority of the voters voting on the issue, the Initiative shall become effective upon the earliest date legally possible after the elections official certifies the vote on the Initiative.