ELDORADO COUNTY DEVELOPMENT SERVICES
PLANNING COMMISSION
STAFF REPORT

Agenda of:	June 14, 2007
Item No.:	9
Staff:	Peter Maurer

GENERAL PLAN POLICY AMENDMENT

FILE NUMBER: A06-0007

APPLICANT: El Dorado County

REQUEST: Amend Policy 2.2.5.13 of the Land Use Element by removing the requirement for a planned development within Safety Zone 3.

ENVIRONMENTAL DOCUMENT: Section 15164 Addendum to General Plan EIR (SCH No. 2001082030)

SUMMARY RECOMMENDATION: Recommend to the Board of Supervisors adoption of an amendment to the General Plan.

BACKGROUND:

On August 10, 2006, the Planning Commission adopted Resolution of Intention No. 2006-04 to amend Policies 2.2.3.1, 2.2.3.2, 2.2.5.4, and 2.2.5.13. These policies all relate in one way or another to the requirement of processing a planned development application for certain types of projects and the mandatory 30 percent open space requirement for all residential planned developments. The Planning Commission found that these policies were causing difficulties in developing infill projects and providing affordable housing.

There are several different approaches that could be used in addressing the concerns, however, the provisions of Policy 2.2.5.13 requiring a planned development for any project with a density higher than one dwelling unit per five acres has been determined to simply not provide the intended benefit to either open space protection or safety related to County airports. Staff is recommending that this policy be addressed separately while work continues on developing options and alternatives to the other policies.

STAFF ANALYSIS

Policy 2.2.5.13 reads as follows:

> *Land uses adjacent to or surrounding airport facilities shall be subject to location, use, and height restrictions consistent with the Comprehensive Airport Land Use Plan.*
>
> *Within Safety Zone 3, the maximum permitted density for residential development shall not exceed one dwelling unit per five acres without the application of the Planned Development Combining Zone District. The planned development zoning overlay shall not be applied unless it is found to be compatible with the health, safety, and welfare of the public. All such applications shall be reviewed by the appropriate airport commission.*

Staff proposes that the second paragraph be deleted.

This policy was intended to provide additional safety for aircraft and people on the ground near airports by clustering development and providing a potential area for aircraft to avoid hitting a structure in an emergency. However, given the land use patterns and density around airports, the requirement for a planned development on smaller projects is unlikely to have a significant effect. Exhibits A through C show the land use designations and lotting patterns within Safety Zone 3 for each of the airports on the west slope.

In the Cameron Park area there are a number of five to ten-acre parcels planned for High Density Residential and other smaller parcels designated Multifamily Residential. Most of the land surrounding these parcels is already developed at higher intensity land uses. Development of these parcels would be considered infill, but the owners have stated that the mandatory planned development requirement of Policy 2.2.5.13 stymie their development plans due to the 30 percent open space requirement.

Development of five to ten-acre parcels would only reserve one to three acres of open space. This would not provide significant area to make a safe landing, especially considering the terrain near each of the airports. During the prior hearing when the Planning Commission considered the Resolution to initiate this amendment, the manager of the Cameron Park airport stated that there is no benefit to the airport or aviation safety by retaining this policy.

For infill development, where the majority of surrounding lots are at typical suburban densities, clustering the parcels and reserving 30 percent for a small open space parcel introduces a new type of development into the area, at least around the Cameron Park airport where most new development affected by this policy is likely to occur. Larger projects or those that trigger other policies that would require the open space must still comply with the standard.

ENVIRONMENTAL REVIEW

The 2004 General Plan EIR did not refer to Policy 2.2.5.13 in the impacts of analysis for land use, traffic and circulation, or safety. It was not considered mitigation for any impacts. Removal of the required planned development requirements of this policy would not increase density or intensity of land uses, cause any additional traffic impacts not already analyzed in the EIR, or create a new impact relating to safety or air transportation. The only discussion of airports is on Page 5.4-11, Vol. 1, Draft EIR, where each of the four airports located in the County are described. Allowing infill development similar to the pattern already established in the built up areas surrounding the airports could reduce impacts associated with development on the periphery of the community regions and result in development more compatible with the surrounding land use pattern. The proposed amendment deleting this policy would not cause any additional demand for new housing or raise the potential need for replacement housing. The EIR prepared for the adoption of the 2004 General Plan (State Clearinghouse No. 2001082030) fully analyzed all impacts associated with the policies of that plan. The impacts are essentially the same as those identified in that EIR; therefore, the County may rely on that previous EIR pursuant to Section 15164 of the CEQA Guidelines. No additional environmental review is necessary.

RECOMMENDATION: Recommend approval

EL DORADO COUNTY
DEVELOPMENT SERVICES DEPARTMENT

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RESOLUTION OF INTENTION No. 2006-04

WHEREAS, the County of El Dorado is mandated by the State of California to maintain an adequate and proper General Plan; and

WHEREAS, because of that mandate, El Dorado County's General Plan and the various elements thereof must be continually updated with current data, recommendations and policies; and

WHEREAS, policies that mandate minimum amounts of open space in specified development projects and the processing of planned development applications are creating difficulties for certain types of residential housing projects; and

WHEREAS, the County must provide flexibility in order to meet the housing needs of its current and future residents;

BE IT HEREBY RESOLVED, that the El Dorado County Planning Commission will set a public hearing to consider amending the Land Use Element of the General Plan to modify Policies 2.2.3.1, 2.2.3.2, 2.2.5.4, and 2.2.5.13 to provide exemptions from the 30 percent open space requirement for infill projects, affordable housing projects, small projects and condominium conversions, and to make the policies more general in nature.

BE IT FURTHER RESOLVED, the Planning Commission hereby authorizes the Development Services Department to proceed with the preparation of the above said hearing.

PASSED AND ADOPTED by the El Dorado County Planning Commission, at a regular meeting of said Commission held August 10, 2006, by the following vote:

AYES: Mac Cready, Machado, Chaloupka, and Knight

NOES: None

ABSENT: Tolhurst

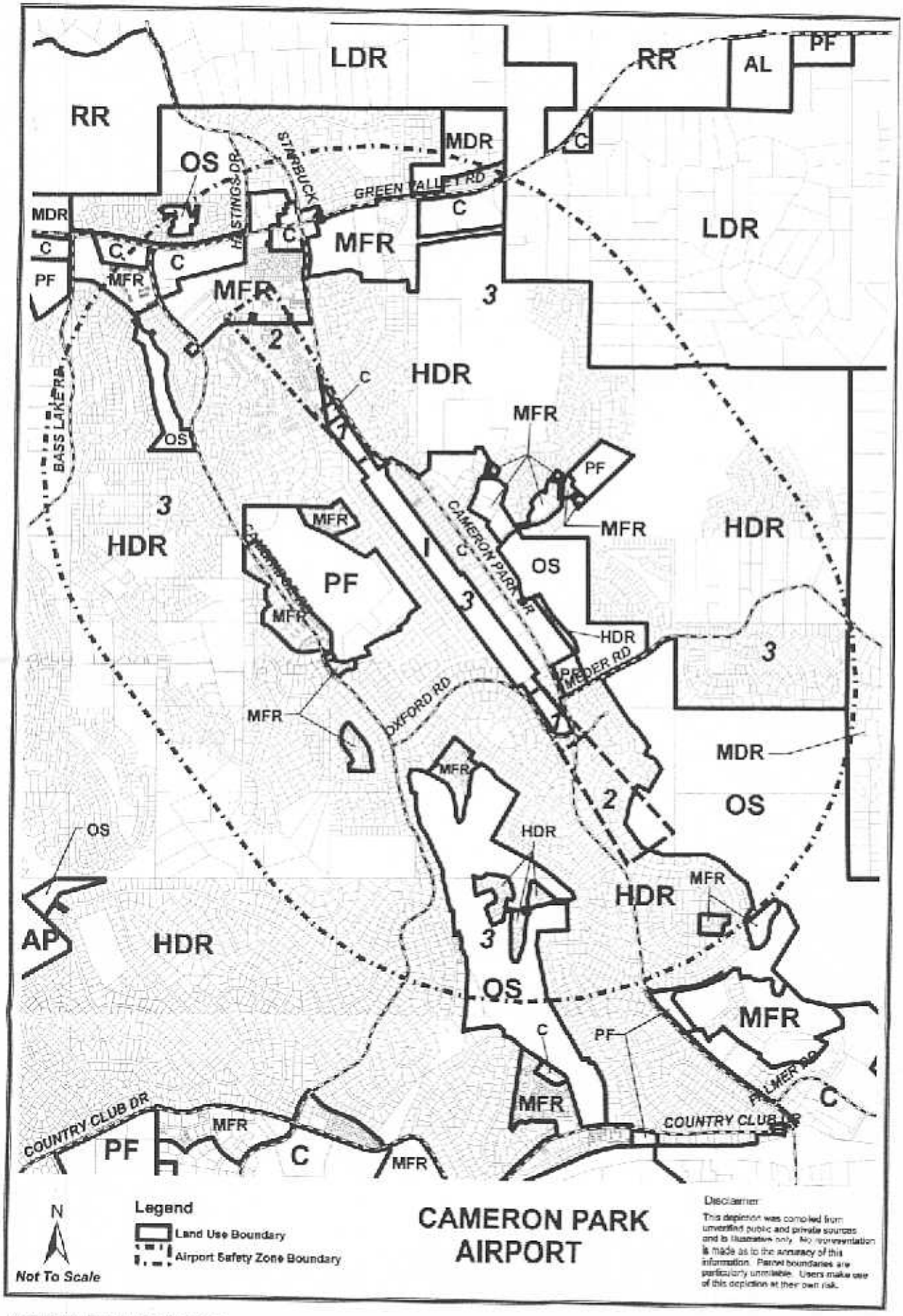
ATTEST:

Jo Ann Brillisour
Clerk to the Planning Commission

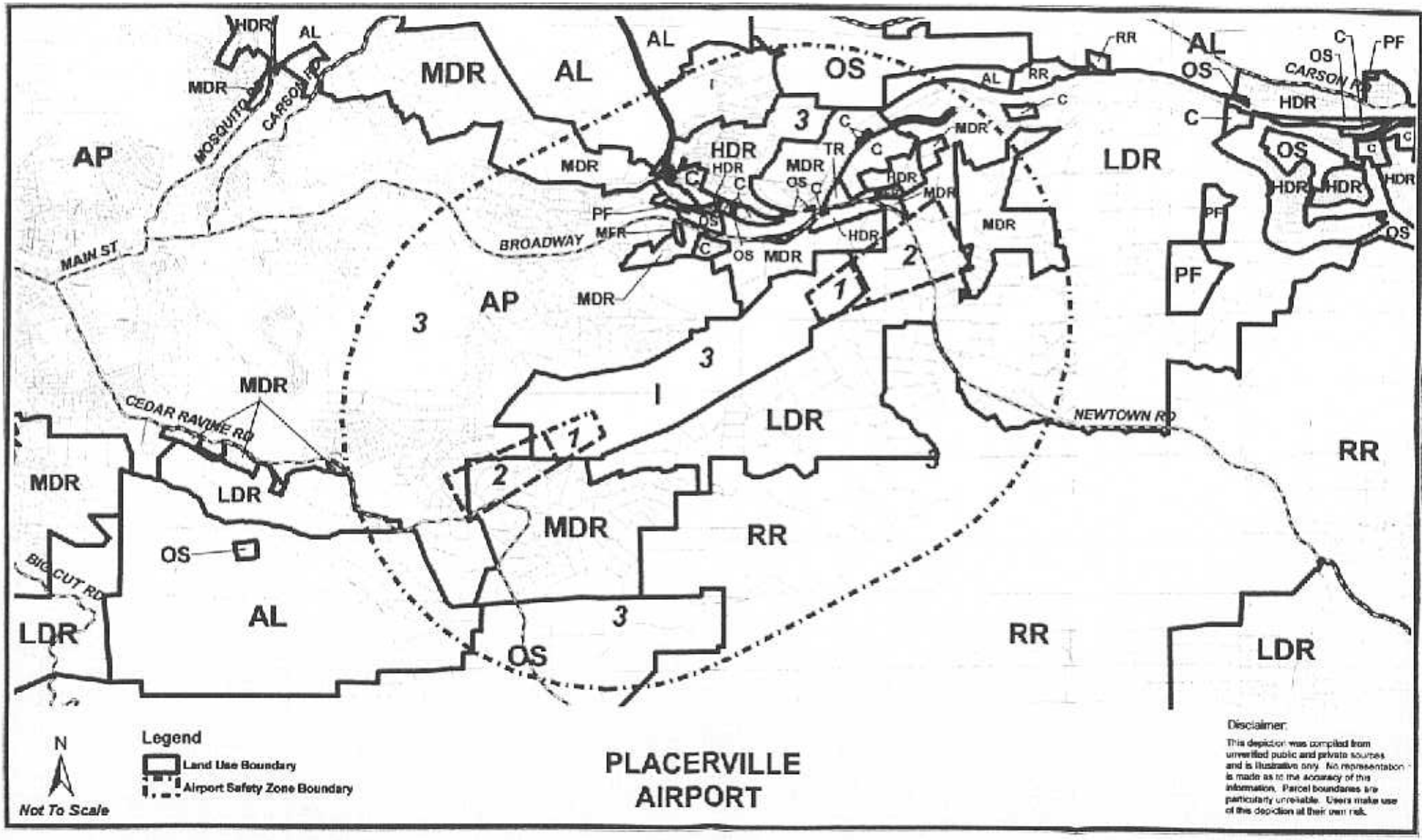
John Knight, Chair

ATTACHMENT 3

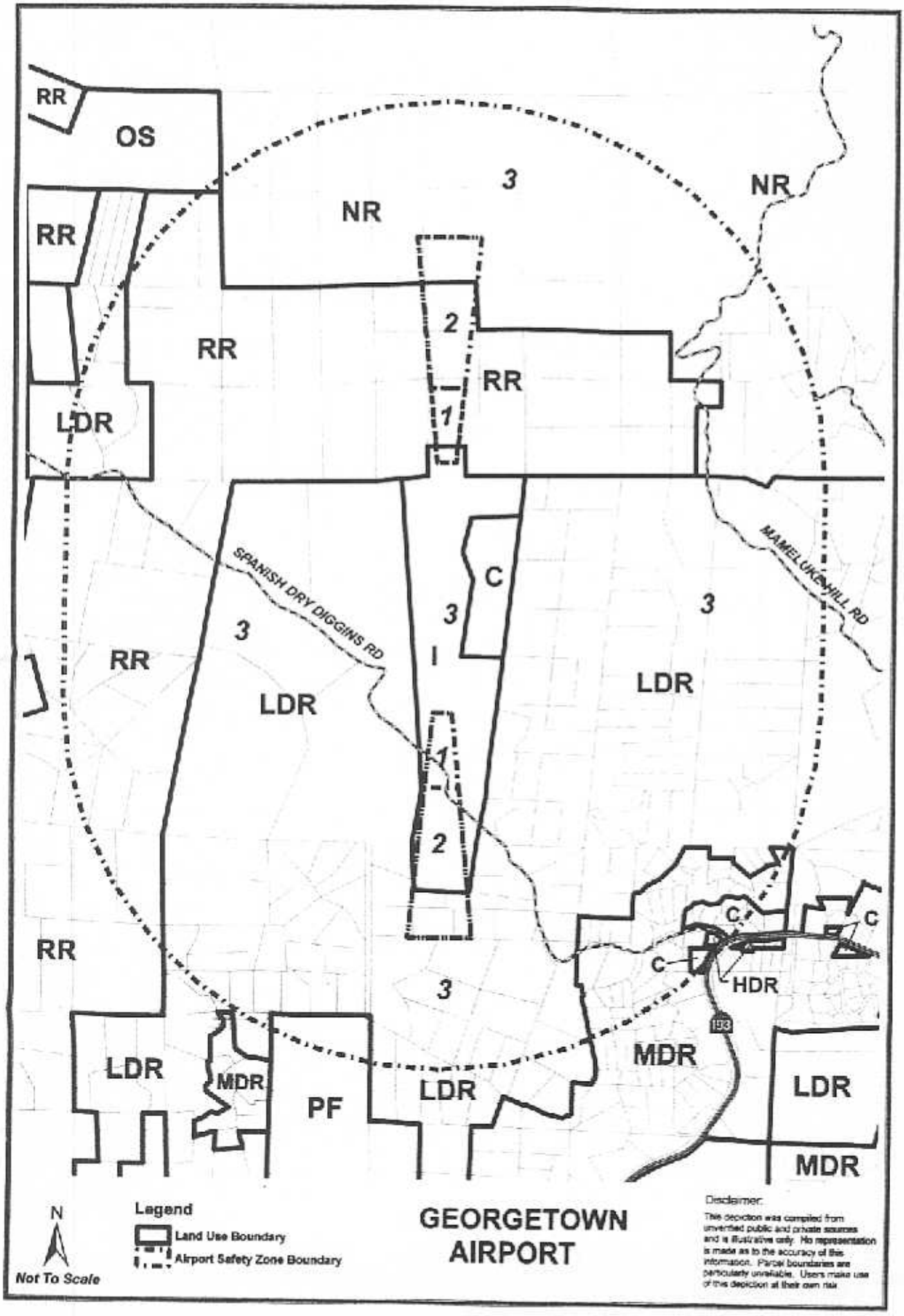
A 06-0007



ATTACHMENT A



ATTACHMENT B



ATTACHMENT C