



**COUNTY OF EL DORADO
COMMUNITY DEVELOPMENT AGENCY**

INTEROFFICE MEMORANDUM

Date: September 23, 2013

To: Board of Supervisors

From: Shawna Purvines; Principal Planner

Subject: Proposed Amendments to Community Region Boundary Lines

On June 11, 2013 staff provided the Board a comprehensive White Paper on General Plan Amendments related to Community Region Boundary (CRB) lines. The White Paper included a General Plan history, review of the current development process, and options for the Board to consider, should they choose to go forward with a General Plan Amendment to modify the CRBs.

On June 27, 2013, the Board received a staff overview of the White Paper and received public comments. The majority of the public comments centered on community opposition to the proposed large residential projects currently being processed, including concerns about increased traffic on local roads and Highway 50, and the impact to rural lifestyles enjoyed by existing residents. Objections to the proposed projects have also prompted requests to:

1. Stop processing the applications for large residential projects;
2. Amend projects to propose significantly lower densities; and/or
3. Amend the General Plan to eliminate, revise and/or reduce the CRB in areas affected.

The majority of the public who commented on the CRB issue also supported the continuation of the Land Use Policy Programmatic Update (LUPPU). Continuation of LUPPU was also supported by the Board.

Following public comments and Board deliberation, the Board directed staff to do the following:

1. Continue moving forward with the LUPPU process.
2. Return in approximately 60 days with a work plan pertaining to costs and next steps on CRB lines.

There have been several questions and comments regarding what the CRBs are, how they are implemented in the General Plan, how amendments would affect them, and how are they addressed in the LUPPU process. Many of these comments have been addressed in the White Paper. However, there are a few that either were not addressed or require further clarification:

1. *Comment:* CRBs were put into the General Plan with no Environmental Impact Report (EIR) or public review.

Response: CRBs were analyzed in the 1996 and 2004 General Plan EIRs. The Introduction of the 2004 General Plan describes the public's involvement in the development of the Plan's vision and strategies. The vision and strategies provided for

the underlying approach of the General Plan include the implementation of Community Regions as distinct planning areas within the County. Through a series of workshops and public hearings during the 1996 and 2004 General Plan processes, it was determined that where high levels of infrastructure and public services of all types exist, or can be easily provided, a Community Region shall be established to minimize the demands on services in Rural areas. Current CRBs, along with equally weighted alternatives, were analyzed in the 2004 General Plan EIR. The information can be reviewed at http://www.edcgov.us/Government/Planning/General_Plan_Supporting_Documents.aspx.

2. *Comment:* The first 5-year General Plan review in April 2011 did not look at or subsequently dropped Community Regional Line Amendments from the Targeted General Plan Amendment (TGPA) process.

Response: CRBs were reviewed in the first 5-year General Plan review, and are currently included in the TGPA. A fundamental component of the TGPA's environmental review was to provide a "Range of Options" to ensure the Board has flexibility to select the best option to meet the objectives of the project. Following the completion of the Targeted General Plan Amendment-Zoning Ordinance Update (TGPA-ZOU) environmental review, the Board may consider amendments to the CRBs.

3. *Comment:* Areas within Community Regions are required to have public water and sewer on site.

Response: Areas within Community Regions are not required to have public water and sewer on site. With the exception of Camino/Pollock Pines, Community Regions are predominately located within the El Dorado Irrigation District (EID) water and sewer service area. Thereby proposed projects are generally already annexed into or easily served by EID. However, many parcels located within a Community Region that are currently developed or vacant but allow single family dwelling units would not require public water or sewer. Only new approved parcels less than 4.5 acres are required to be served by public water and sewer.

4. *Comment:* If Community Regions disappear, achievable development will go down.

Response: Removing the CRBs alone would not affect the achievable development capacity of the General Plan. The achievable development capacity of the current General Plan is an estimate of development potential County-wide, given known opportunities, constraints, and assumptions. Major considerations that were used to establish the achievable development capacity of individual parcels included current General Plan designation, topography, and environmental, physical, and market conditions. Achievable development is not associated with a specific future year; it is only an estimate of the remaining realistic development capacity of the current General Plan. Increasing or decreasing the amount of achievable development under the General Plan would require a General Plan Amendment to change parcel specific land uses to increase or decrease allowed densities and intensities.

5. *Comment:* The proposed Marble Valley Specific Plan is already in a Community Region.

Response: Marble Valley is not located within a Community Region. The proposed project requires a General Plan Amendment.

6. *Comment:* General Plan Amendments to bring a site into a Community Region require a 4/5 vote of the Board of Supervisors.

Response: General Plan amendments (with the exception of Policy TC-Xa and related Measure Y policies) can be approved on a 3/5 vote of the Board of Supervisors, which includes amendments to the CRB.

7. *Comment:* CRB lines can only be amended during the 5-year review of the General Plan.

Response: Although the Board may consider changes or expansions to CRB lines at any time, the appropriate level of analysis necessary to take action on the amendment is generally completed during the 5-year review. Amending the General Plan is an important decision. In recognition of the role of the General Plan as a comprehensive, long-term plan for the preservation, development and enhancement of the County, amendments to the General Plan should occur infrequently and with appropriate deliberation. Major General Plan goals and policies to consider when determining whether or not to amend a Community Region Line include:

- Policy 2.9.1.1: requires the County to annually monitor the rate of population and employment growth, as well as the rate of absorption of the land inventory.
- Policy 2.9.1.2: states that, if the distribution of growth varies significantly from the General Plan assumptions, the County shall adjust the development potential by General Plan amendment, through increasing or decreasing the supply of land or policy changes.
- Policy 2.9.1.3: indicates that, although the normal process for adjustments to the land inventory is as provided in 2.9.1.2, a landowner is allowed to request a General Plan Amendment at any other time.
- Policy 2.9.1.4: permits the Community Region and Rural Center boundaries to be “changed and/or expanded” as part of the 5-year review, and policy 2.9.1.5 requires the assessment of the effectiveness of various mitigation measures.
- Policy 2.9.1.6: provides that General Plan policies will be implemented in a way that avoids taking private property for public use without just compensation.

8. *Comment:* CRB lines can be amended without CEQA review or are exempt from CEQA.

Response: All General Plan amendments, including amendments to CRB lines, are required to be reviewed under CEQA. The level of CEQA review is determined by the proposed project.

Steps taken since the June 27, 2013 Board Workshop on CRB Lines.

On August 16, 2013 County staff held the first El Dorado County Community Visioning and Implementation Plan (VIP) meeting for the purpose of discussing the creation of a “Roadmap to Community VIPs”. The meeting was well attended (approximately 35 attendees) with representation from all known communities undergoing some form of Community I.D. and Community Planning discussions. The goal was to determine what is needed by each

community in order to ultimately bring forward a Community VIP for Board consideration. The County has contracted with AIM consulting who is in the process of meeting with members from each of these communities to conduct a needs assessment. Once the needs assessment is complete, staff will return to the Board with cost estimates and next steps needed to implement the Roadmap.

In addition, the County released the first Cultural and Community Development Grant Program. This program is intended to encourage tourism, agriculture, and economic development in the County by supporting a series of promotional, cultural, and community activities through the Cultural and Community Development Program. The Board desires to fund projects and events that encourage tourism and help increase County Transient Occupancy Tax (TOT) revenue, programs of local cultural benefit to the residents of the County, and projects that facilitate community identification. The Cultural and Community Development Program is distinct from the Promotions Program in that it is meant to facilitate smaller, discrete community projects and events rather than sustained marketing of the County in general. Contractors currently receiving Promotions Program funding cannot seek additional funding from this program. The maximum individual funding award is \$5,000 per cycle per applicant.

Finally, the County has launched a Request for Proposals for the Grant Development Program, inviting proposals to address a variety of grant related support services including Funding Needs Analysis, Grant Research, Grant Proposal Development, Grant Administration and Reporting, as well as training in preparing comprehensive grant proposals. Economic Development funding would only be used for grant related services that support Economic Development and Promotions programs. This is slated to support the development of Community VIPs.

The development of local Community VIPs can move forward independent of any related development projects or County initiated General Plan amendments such as LUPPU. In fact, LUPPU further supports and strengthens the implementation of the Community VIPs with the proposal of Traditional Neighborhood Design/Mixed Use Development prototypes that may be useful to some communities wanting to revitalize their downtowns and community centers.

Options for Next Steps

The White Paper outlined a typical six step policy decision making process. These steps include:

1. Recognize the Objectives.
2. Identify the Problem(s).
3. Gather and Organize the Facts.
4. Develop Alternatives.
5. Select the Best Solution.
6. Evaluate the Effectiveness of the Solution.

A project's cost and next steps would greatly depend on the identified project objectives and identified problems the project is intended to fix.

The White Paper acknowledged that there were many different options available to the Board, and provided six (6) suggested options for the Board to consider. As a follow up to the Board's and public discussion on this item, this memo will focus on two options: White Paper Option #2,

and a new option that can move forward concurrently with the TGPA-ZOU environmental review:

1. **White Paper Option #2:** *Prepare a General Plan Amendment Resolution of Intention to Amend Community Regions throughout the 2004 General Plan, including potential removal from some areas and additions to other areas.*

The cost and timing for this option would differ significantly depending on Board identified project objectives and issues to be resolved. The example used in the White Paper discussed amending the CRBs to remove all Low Density Residential (LDR) land use designations from Community Regions. Staff believes there are two different approaches that could be taken to make such amendments:

- a. The Board could start a new process now, separate and apart from the LUPPU process, to initiate amendment(s) to CRBs. However, the cost and impacts on staff time would be considerable. Staff would need to return to the Board to discuss a reprioritization of projects to determine appropriate budget amendments and time allocations. As the Community Region concept is a major foundation for the current General Plan, this type of amendment would most likely be reflected as a major amendment to the General Plan, and could escalate into a comprehensive General Plan Update process.
- b. An alternative approach is to take advantage of one of the unique opportunities under the LUPPU programmatic concept: the intention to consider a “range of options” to ensure the Board has flexibility to take a range of final actions. Therefore, if the Board considers these types of amendments to be consistent with the primary objectives of LUPPU, the Board could have some latitude to make CRB changes as part of the LUPPU process upon completion of the TGPA-ZOU EIR. The amount of latitude offered to the Board would depend on whether the EIR analysis was adequately comprehensive in scope to consider significant amendments to the CRBs.

It is important to note that amending CRBs to remove LDR land use designations, regardless if it is done as part of the LUPPU process or in a separate process, does not necessarily address the concerns voiced by the public in regards to stopping the proposed large residential projects. Amending CRBs to remove LDR land use designations would not prevent any current or future project from simply requesting a General Plan Amendment to include their project area within a Community Region as part of the project approval.

2. Community VIPs

A second option is to consider changes to CRBs as part of the VIPs currently in process. As discussed above, the Community VIP process is running concurrently with the LUPPU process. The County has implemented the initial steps to kick off the creation of Community VIPs and began engaging interested communities. Staff anticipates returning to the Board with a cost and scope to assist communities in developing local Community VIPs in November 2013. This process could go forward concurrently with the processing of the TGPA-ZOU EIR. Community VIPs will require environmental

review as part of the adoption process, and will be able to tier off the analysis completed within the TGPA-ZOU EIR.

In summary, staff recommends the Board defer initiation of a new process to amend the General Plan until completion of the TGPA-ZOU EIR to determine if the EIR analysis was adequately comprehensive in scope to consider amendments to the CRBs. Staff also recommends continuing to concurrently support the development of local Community VIPs.