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TARGETED GENERAL PLAN AMENDMENT (TGPA) and DSD PROGRAMMATIC WORKPLAN

Executive Summary

On April 4, 2011 Development Services Department (DSD) presented a work plan (Exhibit 1) to the Board of Supervisors that included 6 tasks for 2011-2012. The zoning ordinance update was listed as # 1 and the Targeted General Plan Update listed as # 14 for action 2 or more years from now. EDAC suggested various concerns with this plan:

- 1. Since zoning implements the General Plan and the Board has adopted an ROI for a TGPA, the TGPA should be # 1 and the zoning update should be processed concurrent with or after the TGPA.
- 2. A few but significant issues with the Draft Zoning Ordinance were presented to the Board and should be resolved before adoption.
- 3. A programmatic approach to the DSD /DOT tasks could provide more "bang for the buck".

The Board directed Staff and EDAC to continue work on the zoning ordinance and project description for the TGPA and present the joint efforts at a Board workshop on July 25, 2011.

On July 25th, staff and EDAC presented information that included the following:

- 1. EDAC presented a programmatic approach to the DSD/DOT work plan (Exhibit 2);
- 2. EDAC suggested a time line for implementation of the programmatic approach (Exhibit 3);
- 3. EDAC presented specific TGPAs, as the "bare bones" of a project description (Exhibit 4);
- 4. EDAC presented <u>specific zoning proposals</u> (Exhibit 5);
- **5.** Staff presented a <u>list of proposed TGPA</u> for consideration (Exhibit 6) in addition to the EDAC amendments identified in Exhibit 4.

The Board adopted a motion providing for staff and EDAC to continue work on the TGPA Project Description, TIM Fee Update and Climate Action Plan actions. On September 9th the Planning Commission will hear the matter. On September 26 EDAC will present a BOS CEQA workshop related to the TGPA; and in October or November the Board will adopt a Project Description and approve an RFP.

This Report is organized into the following subjects:

- I. Discussion of DSD Work Plan Presented April 4, 2011
- II. EDAC July 25, 2011 Programmatic Approach to DSD Tasks
- III. Targeted General Plan Amendments and Zoning Actions Recommended by EDAC
- IV. Targeted General Plan Amendments and Zoning Recommended by Staff
- V. Coordination of TGPA with separate Climate Action Plan (CAP), TIM Fee Update, and Land Development Manual (LDM).
- VI. Summary and Requested Action. EDAC provides **Exhibit 7** as a compilation matrix that integrates the staff and EDACs TGPAs.

I. DSD Work Plan Presented April 4, 2011

On April 4, 2011, DSD presented a list of tasks and a work plan to complete those tasks. The DSD work plan is attached as <u>Exhibit 1</u>.

DSD proposed the following tasks for 2011-2012:

- 1. Zoning Ordinance/Map Update
- 2 Housing Element Implementation and Reporting Activities
- 3. Begin Housing Element Update
- 4. Gabbro Soils Rare Plant program coordination
- 5. Land Development Manual
- 6. TRPA Regional Plan Update

For years 2-3, DSD proposed the following tasks and noted that without further funding these items may be postponed to 2012-2013 or later.

- 7. ROI 274-2008 (Amend PD policies for 30% open space and PD use)
- 8. ROI 19-2010 (Historical Design Overlay for El Dorado/Diamond Springs)
- 9. ROI 013-2011 (Agriculture District Boundary Amendment Update)
- 10. Completion of INRMP Phase I
- 11. ROI 110-2009 (Community Region boundary change for Camino/Pollock Pines)
- 12. TIM Fee Program Update Revised Land Use Forecast
- 13. INRMP Phase II
- 14. Targeted General Plan Amendment

The Following Tasks were not included in the April 4 DSD 2-3 year work plan

- 15. Mixed Use Development (MUD) II
- 16. Climate Action Plan (CAP)
- 17. Gabbro Soils Mitigation Fee Program

EDAC concerns with the April 4, 2011 DSD Work Plan include:

- 1. The TGPA should be Task # 1 not last. The Board adopted an ROI in April for a Targeted General Plan Amendment to address concerns with retail leakage, jobs, moderate housing and rural commerce. The Zoning Ordinance Update should follow or run concurrent with the TGPA. Otherwise, the zoning update would be implementing a General Plan the Board has determined needs amendments.
- 2. **Board priority ROIs are on the back burner**. Adopted Resolutions of Intention will not be addressed for at least another 2-3 years, if staff is available.
- 3. The TIM Fee Program Update is a high priority and requires DSD to complete the Revised Land Use Forecast which is task #12 in the DSD work plan. Considering EDAC has already made substantial progress and could complete this item, placing the Land Use Forecast as task # 12 or 2012-2013 or beyond dooms the TIM Fee Program Update to a start date years from now.

- 4. The Gabbro soil fee was set aside by the 3rd District Court of Appeal on January 28, 2009 "because the fees set by the ordinance have never passed a CEQA evaluation, payment of the fee does not presumptively establish full mitigation for a discretionary project." There is substantial information available to develop the framework for a mitigation fee. Staff has only budgeted time to meet with the Federal Agencies. EDAC proposes volunteer efforts to help develop the framework for a Gabbro Soil mitigation fee program.
- 5. As of April 4, 2011 the Zoning Ordinance Update did not adequately address the following:
 - a. **MUD II** could be implemented as a component of the Zoning Update. However, the April 4 work plan deferred MUD II for 3-5 years;
 - b. Home Occupations need to be encouraged, especially considering the TGPA needs to address the fact jobs have been created at less than 40% of GP projections;
 - c. Agriculture had specific zoning issues involving support services and other issues;
 - d. Zoning regulations involving **TPZ** and riparian setbacks, among other issues, are more restrictive than specific General Plan mandatory provisions;
 - e. For Commercial/Mixed Use lands, the General Plan expressly requires, "Numerous zone districts shall be utilized to direct specific categories of commercial uses to the appropriate areas of the County." The Board has identified both a limited supply of Commercial/MUD lands which directly relates to an \$800,000,000 unmet demand along with the need for these lands to provide moderate housing. To meet this demand with limited supply, the GP demands the county plan specific categories of C/MUD uses to appropriate areas of the County. Staff proposes limited zones to provide more flexibility for the market place. This approach is contrary to the General Plan directive and avoids the need for County planning for these limited areas and setting specific guidelines for project proponents to achieve.
 - f. Design Review is required for nearly all Commercial/MUD and Multi-Family projects with limited (to no) comprehensive design standards. This "I'm thinking of a color" approach resulted in the conditions that led to regulatory reform. EDAC proposes standards in the form of master or safe harbor plans including traditional neighborhood designs (TND) to be included in the Zoning Ordinance districts for Commercial/MUD and Multi-Family Residential lands. Further, EDAC recommends that those initial design standards be established as "safe harbor" designs pending future and separate community design efforts.
 - g. Rural Commerce requires regulations that enhance and encourage a "working landscape". These include Ranch Marketing for grazing lands and allowance of expanded home occupations and cottage type commercial activities for larger parcels.

On April 4, 2011 the Board directed that EDAC and Staff review the above concerns and return on July 25, 2011 to report on a process for the Board to adopt a Project Description for the Targeted General Plan Update, including the updated Zoning Ordinance.

II. EDAC PROPOSED PROGRAMMATIC WORKPLAN

EDAC proposes a programmatic approach to the DSD work plan which EDAC believes will allow the Board to accomplish the DSD work tasks (along with action on a Climate Action Plan, Mixed Use Development II and Gabbro Soil Fee) and get the **Best Bang for the Publics' Buck**. EDAC recommends implementing a comprehensive project that will complete substantially all of the DSD tasks at less cost and time than the total of the separate tasks.

Attached as Exhibit 2 is an illustration of the programmatic approach to the DSD work tasks. This comprehensive programmatic approach integrates staff work with EDAC volunteer s and consultants. This programmatic approach involves all 14 DSD work tasks plus MUD II, Climate Action Plan and a Gabbro Soils Fee Framework, otherwise planned far into the future. The separate TIM Fee Update, Climate Action Plan and INRMP II are also coordinated into the proposed project timeline.

Attached as **Exhibit 3** is a **time line** for the implementation of the programmatic approach and coordinated actions consistent with the Board motion adopted on July 25, 2011. The Board motion substantially conformed to the following EDAC recommendations:

EDAC RECOMMENDATIONS TO THE BOARD

- July 25 Identify project components for initial consideration based on the decision matrix provided.
- 2. Direct staff to continue to work with EDAC on the LDM, Standard Plans, a Climate Action Plan and an Updated Traffic Model.
- Direct staff to continue working with EDAC in the preparation of a Planning Commission hearing on General Plan Amendments and Zoning components; report progress and unresolved issues to BOS at time of CEQA workshop
- 4. Approve date for BOS CEQA workshop organized by EDAC
- 5. Direct staff to work with EDAC in the preparation of an RFP for an EIR.
- Return to the Board in October November with project description and draft RFP

As reported in the Board minutes, the original motion was broken into two motions and reported as follows:

"A motion was made by Supervisor Knight, seconded by Supervisor Santiago, as follows:

1) Create a subcommittee including Supervisor Knight and Sweeney to work with DSD Director and EDAC in the preparation of a comprehensive Resolution of Intention that will combine previous Resolutions of Intention regarding General Plan Amendments and Zoning Ordinance

update, to be used as the basis for the Project Description for an EIR and the RFP for the EIR, to be brought back on Tuesday, August 9, 2011;

- 2) Return to the Board in October November with Targeted General Plan Amendment and Zoning Ordinance Update project description and draft RFP for an EIR; and
- 3) The LDM and Standard Plans may move forward independent of the targeted General Plan amendment and Zoning Ordinance Update. The LDM and Standard Plans are to be adopted by the Board Resolution. Staff will continue to work with EDAC, SAGE and other professionals.

Yes: 5 - Knight, Nutting, Sweeney, Briggs and Santiago

A motion was made by Supervisor Knight, seconded by Supervisor Santiago, as follows:

- 1) Set September 26, 2011 afternoon for CEQA workshop organized by EDAC;
- 2) Direct staff to continue to work with EDAC and interested groups, such as SAGE, on the LDM, Standard Plans, a Climate Action Plan, and an Updated Traffic Model; and
- 3) Direct staff to continue working with EDAC in the preparation of a Planning Commission hearing on General Plan Amendments and Zoning Ordinance update; report progress and unresolved issues to BOS at time of CEQA workshop.

Yes: 5 - Knight, Nutting, Sweeney, Briggs and Santiago"

The reporter of the Board action failed to note the motion directed staff to work with EDAC in preparation of the RFP for the EIR. EDAC will prepare a transcript of the motion from the video.

III. CEQA PROJECT DESCRIPTION FOR TARGETED GENERAL PLAN AMENDMENT (TGPA)

The Project Description for the Targeted General Plan Amendment (TGPA) will include General Plan Amendments along with the Zoning Ordinance Update and most likely components of other separate projects or actions, such as the Climate Action Plan, Updated Traffic Model and 2013 Housing Element Update.

General Plan Amendments for the TGPA presented by EDAC and considered to be "bare bones" for the Project Description are discussed below and listed in **Exhibit 4** and discussed below along with related zoning issues. EDAC zoning issues are listed in **Exhibit 5**.

Staff has proposed additional amendments, a compilation of which is attached as **Exhibit 6**. Each of the amendments proposed by staff are consistent with good planning practices, provide cost saving opportunities, and meet the mandate by the State of California to maintain an adequate and proper General Plan by ensuring use of current data, recommendations and policies as included. EDAC agrees these issues should be part of the TGPA review for consideration in the TGPA Project Description.

All of the amendments and zoning proposals listed in **Exhibits 4, 5 and 6** will be subjected to a cost/benefit analysis which will be presented to the Board for consideration when the Board adopts the Project Description in October or November 2011.

A. TGPAs and ZONING ISSUES RELATED TO RURAL COMMERCE

"Rural Commerce" includes economic activities on lands in the Rural Regions. These lands are designated in the General Plan land use map as Agricultural Lands (AL), Natural Resources (NR) and Rural Residential (RR). Low Density Residential (LDR) is a transition land use between Rural Regions and Community Regions.

The following proposed TGPA and zoning issues relate to Rural Commerce:

TGPA and Zoning Issues Common to All Rural Regions:

- 1. Policy 2.2.1.2 and Table 2-1 should be amended to allow Commercial and Industrial land use in the Rural Regions. Currently these land uses are limited to the Community Regions and Rural Centers. Considering there are more than 1,000,000 acres of lands in EDC outside of the Community Regions and Rural Centers, including over 500,000 acres outside of government lands, this policy is a "poison pill" to innovation and prevents rational economic growth of Rural Regions. After the poison pill is removed property owners in the Rural Regions may be allowed limited types of commercial and industrial activities through zoning regulations or landowners could apply for a General Plan Amendment to Commercial or Industrial land use, whereby appropriate levels of Commercial and Industrial uses could be expanded to targeted areas within the Rural Regions.
- 2. Policy 8.1.2.1 and related policies should be amended to specify Ranch Marketing uses on grazing lands. This Policy should be amended to specifically allow Ranch Marketing and other visitor serving uses on grazing lands. Implementation of this amended policy would be through the zoning code

TGPA and Zoning Issues Related to Rural Land Use

In addition to the above proposed amendments that may affect all Rural lands, the following Natural Resource, Agriculture and Rural Lands issues were also addressed by EDAC at the July 25 Board Workshop in presentations by representatives of Agriculture, Forest and Rural Lands:

Natural Resources (Timber)

There are no proposed General Plan Amendments related to Timber Preserve Zones (TPZ). State law and the General Plan allow compatible use of TPZ lands. 15 of 23 surveyed Northern California counties allow residences by right on TPZ with varying minimum parcel size. This is a Zoning Ordinance issue. The draft Zoning Ordinance Update requires an applicant for a residence on a TPZ parcel to apply for a Conditional Use Permit (CUP) and establish that a residence is necessary for the growing of timber. This requirement is in direct conflict with General Plan Policy 8.4.2.1, which details the required findings for: "All discretionary development applications involving...TPZ... (the Board) shall make the following findings:...1.) use shall not conflict with forest production; ...4.) use will not hinder timber production...". EDAC will present specific proposed zoning language for consideration by the Planning Commission on September 8, 2011 and the Board may consider zoning language to include in the Project Description for review.

<u>Agriculture</u>

Agriculture representative request that the Board consider the following General Plan Amendments:

1. GP Goal 8.1 and Land Use Map Exhibit LU-1, Expansion of Agricultural Districts. The Board adopted an ROI to expand the Agricultural Districts. The issue is whether this matter should be

part of the TGPA and whether separate treatment would "piecemeal" the CEQA project description. Staff suggests the action be treated separately from the TGPA and EDAC defers to staff on this issue.

- 2. GP Policy 2.1.1.1 and 2.1.2.1 Change Camino-Pollock Pines Community Region to Rural Center. The Board adopted an ROI for this action in 2009. The issue is whether this matter should be part of the TGPA and whether separate treatment would "piecemeal" the CEQA project description. Staff suggests the action may be treated separately from the TGPA.
- 3. **GP Policy 2.2.5.10** Delete the **Special Use Permit** requirement for **Ag Support Services**. Land Use Policy 2.2.5.10 states that it is recognized that agricultural support services will be needed in the Rural Regions and requires a special use permit. It is recommended that this policy be amended to delete the requirement for a "Special Use Permit" (SUP) in all cases and allow the level of review to be spelled out in the associated zoning code. Agriculture is preparing the draft zoning language that would provide for specific agriculture support services adjacent to or on-site of bona fide agricultural operations.
- **4. GP Policy 7.6.1.3 B should be amended to delete references to specific agricultural zones to meet open space goals.** Policy 7.6.1.3 B lists specific agricultural zone designations that help meet open space goals. The zoning designations are changed in the draft zoning ordinance and it would be simpler, and consistent, if the reference in the GP Policy is simply to agricultural and timber zones, without identifying specific zone districts. This revision would read: "Policy 7.6.1.3 B Agricultural The agricultural (A), Exclusive Agricultural (AE), Planned Agricultural (SA-10) and timber (TPZ) zoning districts are consistent with Policy 7.6.1.1 and serve one or more of the purposes set forth herein."
- **5. GP Policy 8.1.3.2 may be amended to provide for a** 50 foot buffer, as follows: "Projects located within a Community Region or Rural Center shall maintain a minimum setback of 50 feet. The 50 foot setback shall only apply to incompatible uses, including residential structures." This amendment conforms the language to the buffer provided for forest resources in Policy 8.4.1.2.
- 6. **GP Policy 8.1.1.6** provides that Williamson Act lands be zoned Exclusive Agriculture. Since this zone is being discontinued, Policy 8.1.1.6 should be amended to read, "Parcels encumbered by a Williamson Act Contract, pursuant to the California Land Conservation Act Contract, shall be zoned Exclusive Agriculture (AE) be identified as an agricultural preserve.

Rural Lands

EDAC recommends expanding permitted and conditional uses on Rural Lands as economically viable alternatives to parcel splits in the Rural Regions. Rural lands are generally: owner-occupied; in the Rural Regions; 10 acres or greater; may or may not be in an agricultural district; are designated Rural Residential on the General Plan land use map, but may be Agricultural Lands (AL) or may be, in some areas, Low Density Residential (LDR) lands.

The two General Plan issues relating to Rural Lands are Policy 2.2.1.2 and Table 2-1. EDAC recommends allowing Commercial and Industrial land uses in Rural Regions, along with Policy 8.1.2.1, Ranch Marketing for Grazing. Both issues are discussed above.

Zoning treatment of Rural Lands relate to the permitted and conditional uses allowed in the Rural lands zone districts. These uses focus on home occupations and which industrial or commercial uses may be permitted or allowed by use permit. The draft Zoning Ordinance will be submitted, along with EDAC red lined versions, to the Planning Commission on September 8, 2011.

B. <u>COMMUNITY REGION TGPA AND ZONING ISSUES</u> <u>COMMUNITY REGION GENERAL PLAN AMENDMENTS</u>

EDAC proposes the Board consider the following GP Amendments within the Community Regions as being consistent with the General Plan Objective to direct growth within the Community Regions to help keep the rest of the county rural:

- 1. Revise GP Policy 2.2.3 Planned Development (PD). In 2006 the Planning Commission initiated a General Plan Amendment to amend GP policies, and in 2008 the Board of Supervisors initiated ROI 274-2008 and expressed its desire to amend GP Policies 2.2.3.1, 2.2.3.2, 2.2.5.4 and 2.2.5.13. In particular, the PD policies require 30% of the site be set aside as open space, and other policies make the PDs mandatory for certain types of projects. EDAC proposes the Board roll the previously adopted ROI into the TGPA, adopt revised language of GP Policies 2.2.1.2 (MFR) and (HDR), 2.2.3.1, delete Policy 2.2.5.4, incorporate open space requirements into the Zoning Ordinance. The proposed Zoning Ordinance suggests, as an alternative to providing 30% open space onsite, that an applicant must dedicate and improve an equivalent area offsite, thereby increasing the cost of providing moderate housing. Instead, EDAC proposes the Zoning Ordinance be revised to provide alternatives for higher density projects such as improved open space serving residents, including passive and active recreational or common area uses (swimming pools, BBQ areas, tot lots, community gardens, etc.).
- 2. Consideration of revision of GP Policy 7.1.2.1 and Mitigation Measure 5.9-4(b) which prohibit development or disturbance of slopes exceeding 30% unless necessary for access or where reasonable use would otherwise be denied. The rationale seems to be based on erosion concerns. A significant number of other jurisdictions, along with observation of successful developments in steeper areas, indicates that state-of-the-art engineering practices address this concern. Given the very limited amount of Commercial/Mixed Use Development land and Multi-Family Residential land, this constraint could be amended to allow flexibility based on best engineering practices and encourages compliance with commercial and compact residential housing objectives.
- 3. Transportation Policy Issues. The EDAC Engineering and Transportation Subcommittee has identified concerns in the GP Transportation/Circulation Element (and subsequently in the Land Development Manual) that impacts the ability to meet moderate housing goals, along with other issues that include:
 - a. Table TC-1 should be reviewed to ensure requirements do not constrain achieving General Plan Objectives for commercial activities and moderate housing goals. GP Table TC-1 needs to change Right-of-Way (ROW) widths, the intersection spacing requirement on smaller roads, and address the use of alleys for compact residential designs. Reducing the required width of local road ROW (and the size of public utility

easements behind the ROW) would allow better utilization of the limited lands available for housing for moderate income families.

- b. GP Policies TC-5a and TC 5b require sidewalks on both sides of the street where lots are smaller than 10,000 square feet (TC 5a) and in Commercial/R&D Developments (TC-5b). Sidewalks on one side of the road may be adequate in many situations and would allow better utilization of the limited land areas available for these uses. In other areas sidewalks are of little to no value.
- c. The last line of General Plan Policy TC-Xf requires that "reasonably foreseeable projects" include a cutoff date such as TM submittal date, Traffic Report scope date, or something else. Currently DOT continues to add new projects to the review and requires new projects' to analize the ongoing projects' Traffic Study work scope. This increases the costs for the Traffic Study and unfairly extends the timeline for the original project.
- d. **General Plan Policy TC-xa-3 regarding the 4/5 Board vote**: Implementation of the TC-Xa-3 process must be addressed in the Project Description and TGPA.

4. EDAC proposes a TGPA to the GP treatment of Commercial/MUD as illustrated in red:

GP Policy 2.2.1.2 directs "Numerous zone districts shall be utilized to direct specific categories of commercial uses to the appropriate areas of the County." The GP Review has identified a demand for retail (based on \$800,000,000 in sales revenue leakage) and moderate housing, as less than two-tenths of 1% (.2%) of the county land accommodates or supplies land to meet the demand. The County must "do a lot with a little" to meet moderate housing needs and commercial goals. Through zoning the GP requires the county to direct specific categories of commercial uses (Large Retail, Neighborhood, Main Street, Heavy Commercial, Office and Mixed Use) to appropriate areas within the county. In other words, the GP requires the County to plan and create zoning districts. Part of the analysis will be to identify where, and what type, of Mixed-Use projects will be allowed in which Commercial Districts. For instance, assume Diamond Springs was zoned "Main Street" and C/MUD was allowed in the manner described in the zoning code. Diamond Springs would then be a Mixed-Use area. The TGPA would allow residential development of a Commercial/MUD designated parcel zoned for MUD, and would allow the form of the residential use as included in the Ordinance.

GP Policy 2.2.1.2

Commercial (C): The purpose of this land use category is to provide a full range of commercial retail, office, and service uses to serve the residents, businesses, and visitors of El Dorado County. Mixed-Use development of Commercial lands within Community Regions and Rural Centers, which combine commercial and residential uses, shall be permitted. Commercially designated parcels shall not be developed with a residential use as the sole use of the parcel, unless the residential use is either (1) a community care facility as described in GP Goal HO-4, or is (2) part of an approved Mixed-Use Development as allowed by Policies 2.1.1.3 and 2.1.2.5 or is (3) within a zoning district allowing Mixed-Use. Numerous zone districts shall be utilized to direct specific categories of commercial uses to the appropriate areas of the County. This designation is considered appropriate within Community Regions, Rural Centers and Rural Regions.

C. ADDITIONAL ZONING ISSUES

1. <u>Home Occupations.</u> Home occupations are encouraged by the General Plan; there are no General Plan Amendments recommended.

The General Plan assumes 1.3 jobs will be created for each new dwelling unit. Less than .5 jobs for each new dwelling unit have been created. To achieve the General Plan objective, 1.7 jobs per household needs to be created. Encouragement of Home Occupations would assist in job creation.

In the proposed **Zoning Ordinance - Section 17.40.170** Home Occupations limits rather than encourages home occupations. EDAC will present a revised home occupation in the Special Use zoning section and Zoning Districts at the September 9, 2011 Planning Commission hearing for review. The zoning revisions should be more consistent with the Zoning Ordinance Staff Report of October 26, 2006:

"Many existing home businesses, that utilize employees, detached buildings, create occasional noise, have operated for years without complaint, or impact on neighbors, but are illegal. Suggest standards: setbacks, hours of operation: 7 a.m. to 7 p.m. Economic Element of General Plan includes policies to encourage home occupations based on establishing standards in the Zoning Ordinance."

2. Riparian Setbacks (Zoning Issue)

3. Wetlands setbacks should be reviewed. On June 22, 2006 the County adopted interim interpretive guidelines for GP Policy 7.3.3.4 relating to buffers and setbacks for the protection of riparian areas and wetlands. These are to be compared to proposed zoning code section 17.30.030.H which adopts a new standard not included in the General Plan or Interim Guidelines, "Riparian setbacks shall be measured from the edge of riparian vegetation or 'top of bank', as defined in Article 8, whichever is furthest from the water feature." This could result in a substantial increase in the setback requirements, especially considering the subjective determination of measuring from the "edge of riparian vegetation." This policy should be further reviewed. EDAC recommends the Board incorporate Interim Guidelines provisions using wetland delineation standards

4. Zoning Map Update

The Zoning Ordinance implements various policies from the General Plan and the Zoning Map creates zoning districts in all areas of unincorporated EDC. The Zoning Map must be consistent with the GP Lands Use Map (LU-1). For the most part, the 2004 General Plan land use map simply incorporated the existing land uses as of around 1993. The result is that the "updated" zoning map results in substantially the same land uses as have existed for many years, although the names of several of the zones have been changed.

There are at least two Zoning Map Update issues for the Board to address:

- a) Lands designated AE but rolled out from Williamson Act Contracts should have the option to chose a zone consistent with their underlying land use. Lands within Low Density Residential Lands (5-10 acre parcels) have not yet been designated, even though there will no longer be an AE zone.
- b) b. GP Policy 2.2.1.2 requires that for lands designated Commercial, "Numerous zone districts shall be utilized to direct specific categories of commercial uses to the appropriate areas of the County." EDAC will ask that the General Plan be implemented by adopting a range of commercial zones that direct specific uses to specific parts of the county. This action will also implement MUD II and provide land owners with knowledge of the County's plans and standards for development for these limited lands.

IV. ADDITIONAL STAFF GPA RECOMMENDATIONS FOR REVIEW

The EDAC TGPA recommendations discussed above and related zoning issues are "bare bones" for the targeted General Plan Amendment process and accompanying Zoning Ordinance and map revisions.

The following GPAs have been advanced by staff. EDAC believes that grouping these GPAs into one comprehensive review would result in cost savings, and is therefore the most "cost effective" approach to evaluating the GPAs. Whether they should be included in the TGPA Project Description will be determined after the cost/benefit analysis of each proposal has been considered. EDAC has prioritized these staff proposed GPAs and offers the following comments in italics:

- 1. State Requirement. GP Policy 2.2.1.2 Multi Family Residential: Regional Housing Needs Assessment (RHNA) Include, as part of the Targeted General Plan Amendment process, an increase in allowable densities on Multi-Family lands from 24 to 30 units per acre, and expand the range of housing types permitted in the MFR land use designation. EDAC Comments: This Amendment will be required in the 2013 Housing Element Update. By including this Amendment and other revisions in the TGPA now, the County may be able to utilize the TGPA environmental document for the Housing Element Update. This is good planning.
- 2. State Requirement. GP Policy 2.2.1.2 b. SB375 Density Thresholds and Mixed-Use Development (i.e. MUD II): In the Targeted General Plan Amendment include a change to allow for mixed-use development on Multi-family lands, and allow for densities on Commercial lands to be increased from 16 units per acre to 20 units per acre. Create a new goal and associated policies recognizeing the requirements for the regional MTP to include a Sustainable Communities Strategy and define how the county intends to utilize this strategy in achieving General Plan goals. EDAC Comments: Although EDAC is focused on housing for moderate income households which require at least 8-12 dwelling units per acre, those densities have proven difficult to achieve. The staff proposal should not result in any more achievable density while meeting state objectives. This is good planning.
- 3. State Requirement. AB32 and SB97— Energy Conservation and Green House Gas Reduction Plan: Amend GP Objective 6.7.1 to reflect updated air quality plan opportunities that support the adoption of a separate Air Quality Plan. EDAC Comments: EDAC recognizes each private or public project must conduct a CEQA Greenhouse Gas Analysis (GGA) and has indicated the need for the Climate Action Plan. EDAC has located funding and has been directed by the Board to assist in the preparation of the Plan. This is good planning.

- 4. <u>State Requirement</u>. Land Development Standards: Include in the TGPA a policy that supports the development of land use and street standards that safely accommodate all users, including bicyclists, pedestrians, transit riders, children, older and disabled people, as well as motorists. This will address state requirements.
- 5. Infill Development Criteria and Identification of Opportunity Areas: Include, as part of the Targeted General Plan Amendment process, a Land Use Element policy and Implementation Measure that supports the implementation program to promote infill development in existing communities and rural commerce areas. EDAC Comments: Criteria and identification of infill sites for Commercial/MUD and Multi-Family addresses the limited supply of these lands with limited CEQA related costs. Staff may prepare a report on the Opportunity Sites for the County to increase the supply, while requiring project specific environmental review of the sites. This is good planning.
- 6. Change Community Region and Rural Center Boundaries: EDAC Comments: Some argue that GP Policy 2.9.1.4 limits the Board to only make changes during the GP 5-year Review, and this is the time to address appropriate changes. The TGPA has identified limited Commercial/MUD lands and Community Region changes should be considered during the TGPA. Rural Regions have complained that of the limited commercial opportunities allowed in Rural Centers. For example, one parcel adjacent to the Fair Play Center (APN 094-080-04-100) has been recommended to be removed from Fair Play/ Somerset Agricultural District and would be a suitable parcel for inclusion into the Fair Play Rural Center. The parcel surrounds the County-owned Fair Play Cemetery. On the other hand, these changes could add time and cost to the TGPA and the cost/benefit will be addressed during the project description review period. It is good planning to consider Community Region and Rural Center Boundary changes now. An alternative treatment would be to identify opportunities for expansion, without the Board committing to the changes, which would not increase the current CEQA cost of analysis, but helps clear the way for project specific applications.
- 7. <u>Historic Townsites Amend policy 2.4.1.3 as a part of the TGPA to add El Dorado and Diamond Springs to Clarksville on the list of historic townsites: EDAC Comments:</u> Considering the Board has adopted ROI 179-2010 on 12/7/10 to place a Historical Design Overlay for historical town sites of El Dorado and Diamond, it makes economic sense to include this action in the TGPA project description and work plan.
- 8. Floor Area Ratio(FAR) requirements: Delete Policy 2.2.1.5 and Table 2-3 as a part of the Targeted General Plan Amendment. Instead, implement the adopted FAR through the Zoning Ordinance. Develop flexible standards in the Zoning Ordinance to meet specific historic or community design criteria. EDAC Comments: This proposal will be evaluated during the project description review period.
- 9. El Dorad Hills Business Park (EDHBP) employment cap limits Consider as an option in the TGPA the elimination or modification of General Plan Policy TC-1y. EDAC Comments: This may be dependent on the concurrent progress of the traffic model update. In any event, a Congestion Management Plan should be considered to the Connector. It is good planning to at least address this issue.

- 10. Noise standards for public transportation and infrastructure projects: As an option in the TGPA EIR consider a revision to the Noise Standards to allow for periodic night work on public transportation and infrastructure projects. EDAC Comments: It is good planning to address this issue during the project description review process.
- 11. <u>Revision of Table 2-4.</u> After the TGPA and zoning matters are reviewed, Table 2-4 must be amended to reflect the revisions. *EDAC Comments*: This is good planning and necessary.

V. ACTIONS, PROGRAMS, PROJECTS TO COORDINATE WITH TGPA

COORDINATION OF TGPA WITH OTHER ACTIONS AND PROJECTS

As shown on Exhibit 2, EDAC and staff will also be processing the Climate Action Plan, Land Use Forecast for the Tim Fee Traffic Forecast and Model update, along with preparing technical reports for inclusion in the TGPA EIR.

This coordinated effort between the TGPA and these separate actions, programs and projects will be discussed below.

Land Development Manual (LDM)

The Land Development Manual (LDM) is not a part of the Targeted General Plan Amendment project description. It is anticipated the LDM may be ready for adoption in October or November, 2011, or at the same time as the TGPA Project Description. It has been suggested that the LDM and Standard Plans may be adopted by Resolution, and that amendments to the LDM and Standard Plans would be processed in a streamlined manner. This streamlined amendment process should be included in the adoption action.

As of August 9, 2011, the following remaining points of discussion exist regarding DOT Standard Plans (Road Designs):

- 1) RS-11 additional ROW/Easement for slope rounding
- 2) Vertical curves/Design speeds: If we accept the vertical curves, then keeping design speeds down will at least reduce the significance of impacts to vertical curve design. Some design speeds proposed are still higher than EDAC believes is necessary. See previous comments.
- 3) Avoidance of intersections at crest curves and inside of horizontal curves on all local roads: This needs to be more clearly stated, ie: "unless appropriate sight distance is provided".
- 4) Why require sidewalks on both sides of so many roads? Sidewalks on both sides of all roads, as reflected in the Standard Plans, should not be a design standard.
- 5) Why continue to have Right-of-Ways (ROW) extend beyond hard improvements (curb or walk)? Bringing ROW to the back of improvements would greatly increase the ability of site planners to accommodate more density in projects and eliminate County ownership of landscaped areas in front of homes. This is significant when future subdivision is not anticipated.
- 6) Alley development standards and details.

7) The Complete Streets legislation requires an update of the General Plan Policies and contemplation of planning for pedestrians, bikes, transit, ADA, the elderly, etc, in the EDC Transportation System and Circulation Plan.

The LDM has recently been revised and re-formatted. The EDAC Engineers Subcommittee has not had an opportunity to review the LDM as of this writing. Issues still to be addressed include: 1) Identification of the source of all regulations; 2) Alternative treatments of regulations be encouraged; 3) Fire access requirements for projects within State Responsibility Areas (SRA) which are governed by the Fire Safe Plans, as they have been for over 20 years. Several LDM sections impose greater standards than those required by the Fire Safe Regulations. EDAC continues to work with fire representatives regarding fire issues.

Climate Action Plan

EDAC has previously reported on the opportunity for funding from PG&E through Sierra Business Council. EDAC is prepared to work with staff and the SBC to prepare a Climate Action Plan. Placer, Amador, Plumas, Nevada counties, along with Jackson, Placerville, Auburn and other jurisdictions are all participating. A copy of the communication from SBC reads:

From: nmartin@sbcouncil.org

To: jlb87@aol.com

Sent: 7/6/2011 6:20:29 P.M. Pacific Daylight Time

Subj: El Dorado County GHG Inventory

Hello Jim,

I spoke with you earlier today about the status of El Dorado County's climate action planning. I received an email back from my former program manager and she stated that she received resistance from the County in participating in our Phase 1 program (municipal-only GHG inventory). So it was not an elective exclusion on SBC's part. We would love to have them on board for Phase 2 of the program (community-wide GHG inventory), and could likely complete both the municipal and community-wide inventories at the same time during this phase. However, without the proper support from the local government staff, it is not possible for us to access the data needed to complete the inventory. So if you have a staff contact that would be willing to speak with me about the program, then you may just be our saving grace!

Thanks!

Nicholas Martin Energy Associate Sierra Business Council

Traffic Model Update

The project to update the El Dorado County traffic forecasting process is envisioned to be undertaken in two distinct phases. The purpose of Phase 1 ("Quick Start Project") will be to evaluate the existing traffic forecasting processes and needs in El Dorado County in order to develop consensus on the most

appropriate and effective strategy to satisfy those needs. During Phase 2 the traffic forecast process and any associated studies, policies, or other documentation or activities necessary to implement the recommendations of Phase 1 will be completed.

EDAC is working with engineering firms to develop a proposal to "Quick Start" this process.

VI. SUMMARY

On July 25, 2011, the Board directed Staff with EDAC assistance to develop a TGPA Project Description and Draft RFP after a Planning Commission hearing on September 9, 2011 and an EDAC organized CEQA workshop on September 26, 2011.

All staff and EDAC proposed TGPA should be processed for Board review.

All EDAC zoning proposals should be processed. Staff has indicated time and money issues related to the zoning revisions: EDAC has indicated that it is prepared to develop a draft treatment of the alternative zoning provisions for review by staff for the September 8, 2011 Planning Commission hearing.

Respectfully Submitted,

Economic Development Advisory Committee

Regulatory Reform Subcommittee

Attachment 1 DSD Proposed Work Plan - April 4, 2011

Attachment 2 EDAC Programmatic Work plan

Attachment 3 EDAC Timeline
Attachment 4 EDAC TGPA matrix

Attachment 5 EDAC Zoning Update matrix

Attachment 6 Staff TGPA matrix

RECEIVED BOARD OF SUPERVISORS EL DORADO COUNTY 3:11 pm, Apr 01, 2011

Attachment #1

LATE DISTRIBUTION
Date 4:29 pm, Apr 01, 2011



April 4, 2011

12-Month Action Plan for Long Range Planning Proposed 2011-2012

Zoning Ordinance/Map Update

Housing Element Implementation and

Reporting Activities

Begin Housing Element Update

Gabbro soils rare plant program coordination with USFWS and CDFG

Land Development Manua 5.

TRPA Regional Plan Update

6

11-0356.C.6

Year 2-3 Action Plan

Without additional funding these items may be postponed to 2012-2013 or later. Amendment PD policies for 30 percent open space and requirement for PD when creating 50+ parcels. (ROI 274-2008, adopted 10/7/2010).

Historical Design Overlay for historical town sites of El Dorado and Diamond Springs (ROI 179-2010 adopted 12/7/10).

Agriculture District Boundary Amendment Update (ROI adopted 013-2011 adopted on 1/25/11).

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Completion of INRMP Phase I

Community region boundary change for Camino/Pollock Pines (ROI 110-2009 adopted 5/19/2009).

TIM Fee Program Update - Revised Land Use Forecast.

INRMP Phase II.

<u>က်</u> 11-0356

Targeted General Plan Amendment

COST 4/11 WORKPLAN

DSD TASKS

DESCRIPTION

GPA

ZONING

\$220,000

\$175,000

3. HOUSING UPDATE

1. ZONING

HOUSING UPDATE

MUD II

ROI ROI

ROI

ROI

PRICE INCLUDES

\$150,000

9. ROI AG DISTRICT

8. ROI HIST DIST

7. ROI 30% OS

11. ROI CAMINO / PP

RFP S

\$750,000

\$175,000

12. LAND USE FORECAST

14. GPA

\$ 75,000 \$1,470,000 \$ 75,000 \$150,000

CLIMATE ACTION (future)

MUD II (furure)

GABBRO FEE (future)

\$175,000

Land Use Forecast

\$150,000

Climate Action Plan

\$ 75,000

\$ 75,000

\$100,000

EDAC REPORTS

GABBRO FEE

MUD II

\$300,000

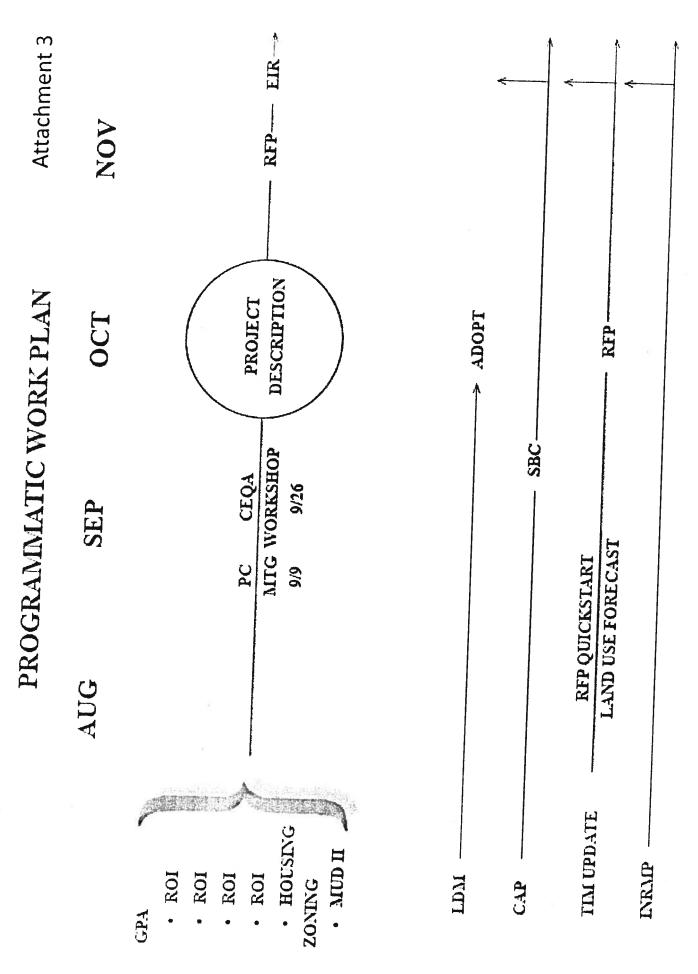
\$1,770,000

TIM FEE UPDATE REPORTS INRAP

\$575,000

COORDINATE

= EDAC ESTIMATE



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	Comments	Questions	Concurrency is EDAC issue							Implement previously adopted ROI 274-2008	
		Description of Policy Review and Proposed Amendment	parcels suitable for commercial and others suitable for residential. Delete the following sentence: The residential component of the project shall only be implemented following or concurrent with the commercial component." [Jobs, Retail, Moderate Housing, Protection of R.R.	Provided that the minimum densities are achieved, allow a range of housing types including small-lot single family detached, as well as single family attached (duplexes, townhomes, condominiums, etc.) within Multi-Family Residential (MFR) without the requirement for a PD. [Moderate Housing]	E	10 expand economic opportunities, remove prohibition on Commercial/Industrial uses in RR. (2.2.1.2.) Eliminate requirement for special use permit for Ag Support Services; incorporate standards and permitted uses into Zoning Ordinance. (2.2.5.10) Eliminate special use permit requirement for visitorserving uses; move standards and permitted uses to Zoning Ordinance. (8.2.4.2) Conform Table 2-1 to reflect changes. [Jobs, Retail, Improve johs/housing	Strict annication of action of	Commercial/Industrial, Multi-Family and High Density Residential) in Community Regions. Retain policy statement in General Plan that "Development or disturbance of slopes over 30% shall be restricted." Move standards for implementation including expentions.	EDAC DISAGREES WITH THE STAFF RECOMMENDATION BE. BE	These policies interfere with the provision of Moderate Housing. EDAC recommends that the 30% open space requirement be modified inside of Community Regions/Rural Centers to allow lesser area of "improved open space". (2.2.3.1) Further, we recommend deleting 2.2.5.4 (requiring a PD if more than 50 parcels or where densities are greater than 2 DU/acre.). [Moderate Housing]	
Primary Coneral Blan	Policies Requiring	22.12	1	2.2.1.2	77 17 27 5 10 62 42	revise Table 2-1	7.1.2.1		2.2.3.1 and 2.2.5.4		
	General Plan Components	leit		2 SFD without PD in Multi Family	3 Rural Commerce (Industrial.	rvices)	30% Slope limitations		5 Planned Development 2		
l .	lssu¢ ED¥C			CI	3		त		<u>a.</u>	11-0356	IC.

rgeted General Plan Amendment Recommendations
EDAC Targeted

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Comments	Questions Consistency			
Description of Policy Dociment	Proposed change implements and conforms to previous BOS Interpretation	Consider whether to amend policies to confirm that Ranch Marketing is permitted in lands supporting livestock. Not explicitly prohibited, but 8.2.4.4 requires minimum acreage in crop production for Ranch Marketing. Visitor serving uses expressly permitted under 8.2.4.5. Could be addressed through Zoning Ordinance, but clarification through GPA may be helpful. [Jobs, Retail.	Clean up language, delete references to specific zone designations that may not be	carried forward into Zoning Ordinance update. [Clarification] Several GP Policies interfere with ability to provide Commercial/Industrial and Moderate Housing. 1) Reduce ROW width and intersection spacing for local roads. (Table TC-1). 2) GP Policies (TC-5a & TC-5b) do not expressly require sidewalks on both sides of streets in Commercial/R&D and residential lots less policies to allow sidewalks on one side only, or BOS to clarify that not required and direct that LDM and Standard Plans be revised accordingly. 3) Applicants required to repeatedly revise traffic studies; may need GPA to resolve 4) TC-Xa 2 require clarification re: process.
Primary General Plan Policies Requiring Revision	8.1.3.2 and 8.4.1.2	8.1.2.1 or 8.2.4.5, 8.2.4.4	7.6.1.3B	Table TC-1, TC-5a, TC-5b, TC-Xa-3 or -2?
General Plan Components	Regions 8.1.3.2 and 8.4.1.2		T	Element Miscellaneous
EDAC Issue	0	0) A	10 R

EDAC Zoning Recommendation

Attachment 5

		GP Provides for use of multiple commercial zones. EDAC believes the limited number of commercial zones proposed in the	EDAC supports inclusion of policies in ZO which expand commercial and industrial uses in Rural Regions. In concert with	GPA to allow Commercial and Industrial land uses within Rural Regions, draft ZO should be revised to allow Commercial, Industrial and Ag Support Uses within zone designations applicable to Rural Regions	ZO should be revised to conform to GPAs for PDs recommended by EDAC. (Eliminate 30% ones graces and conformation)	lesser amount of improved open space; climinate requirement for	not recommend adoption of language as proposed as it defeats the $GPAs$ recommendation of language as proposed as it defeats the	Once ZO revisions are finalized, revisions to Table 2-4 will be required.	EDAC recommends the ZO allow provide for expanded home occupations, including employees in home occupations to the	extent feasible in compliance with CEQA. This action will improve the jobs/housing balance, already addressed in GP Policy 10.1.7.4	ZO should incorporate GP standards; current ordinance and ZO update as drafted contains requirements more stringent than GP. FDAC recommends a contain	TPZ lands	ZO should be revised to designate multiple Commercial/Industrial uses. Include "master" or "safe harbor" plans for residential component of C/MUD2.
i	Zoning Ordinance Sections												
	Zoning Ordinance Project Component Issues	Multiple commercial zones		Commercial/Industrial and Ag Support Uses or Zones			Planned Development provisions	Table 2-4 Amendment		Home occupations		Kesidences in TPZ	Mixed Use Development (MUD 2)
		_		CI			3	+		ر <u>ب</u>		0	7

EDAC Zoning Recommendation

Attachment 5

Animal Keeping		Staff recommends deferral of Animal Keeping to separate ordinance. EDAC agrees, provided that language as proposed is not included in 20
		Criteria in draft ZO measure setbacks from "edge of riparian vegetation" rather than "top of bank" or "ordinary high water mark" as used in the Interim Guidelines adopted in 2006. FDAC
Wetland/Riparian Setbacks		Army Corps of Engineers wetland delineation standards.
		Significant issues remain, including appropriate designation of rolled-out AE (former Williamson Act Contract) lands and
		with regard to eliminating conflicts between planned higher
10 Zoning Map Update	- 1	density housing and ag zoned landsImperative to get the map
Ranch Marketing on Grazing Lands		Ranch Marketing for livestock operations, including visitor-
Ag Zoning "Opt In" within Ag Districts and Rural Regions		Recommend an "Opt In" process for lands within Ag Districts and RA Lands in Rural Regions to continue agricultural protection of underlying land agricultural protection of
Agriculture Homestays		Permitted under 10.1.6.1 and 8.2.4.3 "lodging facilities". Can be addressed through Zoning Ordinance, but clarification through
		Of A might be helpful. [Jobs, Retail, Protection of RR]

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	General Plan Comme	ŀ		
lat2 usst	Components and Components	General Plan Policies Remiring Register	Description of Policy Review and Proposed Amendment	Comments Ouestigns
	I Commercial/Mixed-Use	Inician S		Why Consider
	Densities	7.	Allow for projects to achieve CEQA streamlining benefits	State - CR375
•	2 MUD in MFR	2.2.1.2	Allow limited Commercial in MFR (discussed in Marco)	
	3 Air Quality/Energy	6711 2 and man 184	services needs of RHNA	1 State - SB375
	Conservation objectives	Critis, & and new IM	Allow for project to tier off analysis and meet County thresholds. Consider SBC program funded through the program	State - S897
	Densities	2.2.1.2	CR and RC capacity and long range transit planning	State - SB375
(r)	S Expand Community Region/Rural Center Boundaries	2.9.1.4 and 2.4.1.2	Limited Multi-family and Commercial per 5-Year Review, encourages Community ID process	Finding in GP 5-year
9	6 CR & RC boundary amendments	Land Use Map	May want to look at other CR and RC to amend as needed to	ROI - Camino
7	7 Density Bonus	2.2.4.1	Direct policy to meet objective.	
\$	8 EDH Business Park employment cap limits	TC-1y	Good time to review objective and consider other options	Zoning??? Finding in GP 5-vear
6	9 Floor Area Ratio	2.2.1.5 and Table 2-3	To meet mixed use objectives	review
10	10 Noise standards	6.5.1.11 and Taklas 6.3	. d	58 - 375
		thru 6-5	transit Projects flexibility and streamline environmental review	Save on CEQA review
=	ED, DS Historic Overlay –	2.4.1.3	Recognize Historical townsites of El Dorado/Diamon Le	cost.
12	12 Regional Planning coordination New Policy	New Policy	in concept as they apply to currently adopted plans including	ROI - DS/ED
	SB375		support projects that meet SB375 streamlining opportunities.	SB - 375
).c.	13 Complete Streets (need more generic name)	New Policy and Program	SACOG-specific	AB - 1358
7	14 Infill and Opportunity Site	New Policy and Program		
15(rences to AE			Prop 1c, 84 and various HCD/CDBG Funding
91	2		s clean up to GP	Zoning Driven GPA
2			Utilizes 8.1.1.2 criteria and implements AF-B	ROI - Ag