

FROM THE MINUTES OF MAY 22, 2008

9. GENERAL PLAN AMENDMENT/ORDINANCE AMENDMENT (Public Hearing)

A07-0011/Z08-0012 initiated by EL DORADO COUNTY to amend Policy 2.2.5.20 as follows: All non-residential development, all subdivisions, residential development on existing legal lots involving any structure greater than ~~120~~ 4,000 square feet in size or requiring a grading permit for which land disturbance of an area of 20,000 square feet or more occurs, and all development located on lands identified as Important Biological Corridor (-IBC) on the Land Use Diagram, Figure LU-1, shall be permitted only upon a finding that the development is consistent with this General Plan and the requirements of all applicable County ordinances, policies, and regulations. For projects that do not require approval of the Planning Commission or Board of Supervisors, this requirement shall be satisfied by information supplied by the applicant demonstrating compliance. All building permits shall be consistent with the land uses described in the land use designation established for the site, as provided in Policy 2.2.1.2 and set forth on Figure LU-1. (Addendum to General Plan Environmental Impact Report prepared)

The zoning ordinance amendment revises Section 17.22.330 of the County Code to reflect said policy amendment as follows:

17.22.330 Applicability of General Plan Consistency Requirements. Requirements for General Plan consistency shall apply to:

- A. All building permits for new structures, as defined in the General Plan, greater than ~~120~~ 4,000 square feet, including additions to existing structures.
- B. Building Permits or other permits that require a grading permit for which land disturbance of an area of 20,000 square feet or more occurs.
- C. All development, as defined in the General Plan, located on lands identified as Important Biological Corridor (-IBC) on the Land Use Diagram, Figure LU-1.
- D. Non-residential development. (Addendum to General Plan Environmental Impact Report prepared)

This item was taken after Item 10. Peter Maurer recommended approval to the Board of Supervisors. He explained the use of the addendum to the General Plan Environmental Impact Report as the environmental document.

There was no one in the audience wishing to give input.

Commissioner Mac Cready read a letter of support submitted by Ray Nutting.

MOTION: COMMISSIONER MATHEWS, SECONDED BY COMMISSIONER MACHADO AND UNANIMOUSLY CARRIED, IT WAS MOVED TO FORWARD A RECOMMENDATION THAT THE BOARD OF SUPERVISORS CERTIFY THE ADDENDUM TO THE GENERAL PLAN ENVIRONMENTAL IMPACT REPORT AND APPROVE A07-0011/Z08-0012, BASED ON THE FINDINGS PROPOSED BY STAFF.

Findings

1. The proposed change to Policy 2.2.5.20 and §17.22.330 is not a substantial change and does not require substantial changes to the previous EIR because there are no new significant environmental effects and no substantial increases in the severity of previously identified significant effects. Changes in the severity of the impacts will not increase for most impacts, as described in the addendum and in the staff report. Changes will be minimal for impacts to scenic resources, safety due to flood hazards, land use compatibility by locating near mining operations, and cultural resources.
2. Substantial changes to the previous EIR are not required due to the lack of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. Development which has occurred under the 2004 General Plan since adoption has been consistent with the plan, and as described in the addendum, the impacts of build-out of the remainder of the plan will not significantly increase as a result of the amendment.
3. An addendum to the 2004 General Plan EIR is appropriate for compliance with CEQA, pursuant to 14 CCR §15164, based on the following:
4. No new significant effects have been identified as a result of the proposed amendment to Policy 2.2.5.20 and §17.22.330 than those analyzed in the 2004 General Plan EIR, as discussed in the addendum and staff report.
 - a. As discussed in the addendum and staff report, each of the significant effects examined in the EIR and addressed by mitigation measure 5.1-3(a) will not be substantially more severe than shown in the previous EIR;
 - b. No mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project; and
 - c. No mitigation measures or alternative that are considerably different from those analyzed in the previous EIR have been identified that would substantially reduce one or more significant effects on the environment.