

**EL DORADO COUNTY DEVELOPMENT SERVICES
PLANNING COMMISSION
STAFF REPORT**



Agenda of: June 26, 2008
Item No.: Addendum
Staff: Shawna Purvines

FILE NUMBER: A07-0004

APPLICANT: El Dorado County

REQUEST: Amendment to General Plan; Housing Element Update

ENVIRONMENTAL DOCUMENT: Initial Study/Negative Declaration

SUMMARY RECOMMENDATION: Forward recommendation to Board of Supervisors to adopt the proposed amendment.

BACKGROUND

On April 1, 2008 the Board of Supervisors accepted the draft 2008-2013 Housing Element Update for submittal to the California Department of Housing and Community Development (HCD) for their review. On June 2, 2008 HCD sent a letter that stated the Element adequately addressed many statutory requirements; however revisions would be necessary to bring it into compliance with State law.

Section 65588(e) (3) of the Government Code requires all jurisdictions within the Sacramento Area Council of Governments (SACOG) to adopt a revised Housing Element By June 30, 2008. This is scheduled for action by the Board of Supervisors on July 1, 2008 in order to meet as closely as possible the timeline established by this code. The County was delayed in starting the update process due to revisions made to the Regional Housing Needs Assessment (RHNA), which did not become official until February 2008. However, the Legislature refused to extend the deadline for submittal and adoption of the updated element from the June 2008 date, therefore, six to nine months of work has been compressed into three months.

STAFF ANALYSIS

The Housing Element is a comprehensive report by the County of El Dorado describing the housing needs of the unincorporated area and how County plans, policies, programs and regulations facilitate the development, improvement and preservation of housing for all economic segments of the community. The Housing Element is one of the seven General Plan Elements mandated by the State of California, as required in Sections 65580 to 65589.8 of the Government Code. State law requires that the Housing Element consist of “an identification and analysis of existing and projected housing needs and a statement of goals, policies, quantified objectives, and scheduled programs for the preservation, improvement and development of housing.”

The Housing Element sets forth the County's strategy for enhancing and preserving the housing stock, for expanding housing opportunities for various economics segments, and along with the Land Use Element, provides policy guidance for decision-making related to housing. The Housing Element also provides the implementation strategies for effectively addressing the housing needs of the unincorporated area during the 2008-2013 planning period.

Each jurisdiction is required by State law to ensure that sufficient land with appropriate zoning is available to accommodate its fair share of the region’s future housing needs for all income groups for the 2006-2013 planning period. SACOG is the agency tasked with identifying housing needs for each jurisdiction, consistent with state-approved regional forecast totals. SACOG has determined that the new housing need for the El Dorado County unincorporated area is 8,044 additional housing units for this planning period. This need is allocated to income categories as shown in Table 1. The Housing Element identifies sufficient vacant and/or underutilized land with appropriate zoning to accommodate this growth need. No changes to the General Plan Land Use Element or zoning that would increase either total development capacity or the rate of development are anticipated in connection with this Housing Element update.

**Table 1
 Regional Housing Growth Needs 2006 - 2013
 Unincorporated El Dorado County**

Very Low	Low	Moderate	Above Mod	Total
2,413	1,596	1,512	2,523	8,044
30%	20%	19%	31%	100%

Source: SACOG 2007

The revision is an update to the element, not a comprehensive rewrite. The major changes are centered on the revised allocations based on the RHNA, an update of the inventory using the general plan land use designation rather than zoning as was done in 2004, and a review of the success in meeting the goals and objectives of the previously adopted element. Additionally, the goals, policies, and implementation measures have been updated to reflect changes in state law between

2004 and today. These are contained in Sections 2, Appendix B, Appendix A, and Section 5, respectively.

ENVIRONMENTAL REVIEW

Pursuant to Public Resources Code 21083.3 and State CEQA Guidelines Section 15177, the County has determined that the Housing Element update is within the scope of the General Plan EIR adopted July 2004 and two Supplemental EIR's (SEIR) adopted August 22, 2006 and July 10, 2007 as part of the Traffic Impact Fee program and General Plan Floor Area Ratio amendment. Therefore, the initial study only looked at issues specific and unique to the Housing Element Amendment and current setting conditions, and does not re-evaluate issues adequately addressed in the previous General Plan EIR or SEIR. A Negative Declaration was prepared since no significant impacts were identified.

FISCAL IMPACT AND CERTIFICATION OF ELEMENT

Should the Housing Element not be adopted as required, the County would not be eligible to apply for certain funding opportunities including applications due in July for the Community Development Block Grant programs worth a potential \$140,000 to county Economic Development and Housing programs. Staff has already begun to work with HCD to begin addressing comments and recommended revisions to the Element. Staff is pursuing a finding by HCD of substantial compliance within the next couple of months. Should this not be achieved the County is in danger of losing upwards of \$6.0 million in funding opportunities by September. Staff will bring back to the Board any proposed amendments to the Element for discussion prior to sending for formal review to HCD. Staff anticipates a finding of Substantial Compliance by August and a final Certification by year end.

1. **RECOMMENDATION:** Recommend approval

SUPPORT INFORMATION

Attachments:

- Attachment 2.....Initial Study/Negative Declaration
- Attachment 4.....Comment letter from the State Department of Housing and Community Development
- Attachment 5.....Minutes from the June 26, 2008 Planning Commission meetings. *(Will be provided at BOS Hearing)*

ATTACHMENT 2



**EL DORADO COUNTY PLANNING SERVICES
2850 FAIRLANE COURT
PLACERVILLE, CA 95667**

ENVIRONMENTAL CHECKLIST FORM AND DISCUSSION OF IMPACTS

Project Title: 2008 El Dorado County Housing Element

Lead Agency Name and Address: El Dorado County, 2850 Fairlane Court, Placerville, CA 95667

Contact Person: Shawna Purvines

Phone Number: (530) 621-5355

Property Owner's Name and Address: Unincorporated El Dorado County, 330 Fair Lane, Placerville, 95667

Project Applicant's Name and Address: County of El Dorado, 330 Fair Lane, Placerville, 95667

Project Agent's Name and Address: County of El Dorado, 330 Fair Lane, Placerville, 95667

Project Engineer's / Architect's Name and Address: N/A

Project Location: Unincorporated Area, El Dorado County.

Assessor's Parcel No: N/A

Zoning: N/A

Section: N/A T: N/A R: N/A

General Plan Designation: Various

Description of Project: The project is to amend the Housing Element of the General Plan as required by state law. All jurisdictions within the Sacramento Area Council of Governments (SACOG) region are required to prepare revised Housing Elements in 2008.

The Housing Element is a comprehensive statement by the County of El Dorado describing the housing needs of the unincorporated area and how County plans, policies, programs and regulations facilitate the development, improvement and preservation of housing for all economic segments of the community. The Housing Element is one of the seven General Plan Elements mandated by the State of California, as required in Sections 65580 to 65589.8 of the Government Code. State law requires that the Housing Element consist of "an identification and analysis of existing and projected housing needs and a statement of goals, policies, quantified objectives, and scheduled programs for the preservation, improvement and development of housing."

The Housing Element sets forth the County's strategy for enhancing and preserving the housing stock, for expanding housing opportunities for various economics segments, and along with the Land Use Element, provides policy guidance for decision-making related to housing. The Housing Element also provides the implementation strategies for effectively addressing the housing needs of the unincorporated area during the 2008-2013 planning

period.

Each jurisdiction is required by State law to ensure that sufficient land with appropriate zoning is available to accommodate its fair share of the region’s future housing needs for all income groups for the 2006-2013 period¹. SACOG is the agency tasked with identifying housing needs for each jurisdiction, consistent with state-approved regional forecast totals. SACOG has determined that the new housing need for the El Dorado County unincorporated area is 8,044 additional housing units for this planning period. This need is allocated to income categories as shown in Table 1. The Housing Element identifies sufficient vacant and/or underutilized land with appropriate zoning to accommodate this growth need. No changes to the General Plan Land Use Element or zoning that would increase either total development capacity or the rate of development are anticipated in connection with this Housing Element update.

**Table 1
 Regional Housing Growth Needs 2006 - 2013
 Unincorporated El Dorado County**

Very Low	Low	Moderate	Above Mod	Total
2,413	1,596	1,512	2,523	8,044
30%	20%	19%	31%	100%

Source: SACOG 2007

The proposed 2008 Housing Element is consistent with the Land Use Element and other elements of the General Plan, as well as the County Zoning Code and other regulations. The 2008 Housing Element reflects existing land use policy, and would not change the location, character, timing or amount of new development planned for the unincorporated area. In reviewing the environmental analysis contained in this Initial Study, it should be recognized that the Housing Element is a policy document and does not convey entitlements for construction, and site-specific review of potential development projects is not within the purview of this Initial Study. Specific development proposals will be reviewed when they are submitted per the requirements of CEQA and project revisions or mitigation measures will be required where appropriate to avoid or lessen potential environmental impacts.

Pursuant to Public Resources Code 21083.3 and State CEQA Guidelines Section 15177, the County has determined that the Housing Element update is within the scope of the General Plan EIR adopted July 2004 and two Supplemental EIRs (SEIR) adopted August 22, 2006 and July 10, 2007 as part of the Traffic Impact Fee program and General Plan Floor Area Ratio amendment. Therefore, this initial study only looks at issues specific and unique to the Housing Element Amendment and current setting conditions, and does not re-evaluate issues adequately addressed in the previous General Plan EIR or SEIR. This review will not address Agriculture and Forestry, Geology, Soils and Mineral Resources, Biological Resources and

¹ While the planning period for Housing Element programs covers the 5 years from July 1, 2008 to June 30, 2013, the analysis of new housing need is contained in the Regional Housing Needs Assessment and covers the 7-1/2 year period from January 1, 2006 through June 30, 2013.

Cultural Resources, Recreation, Hazards and Lake Tahoe Basin, which were previously addressed in the General Plan EIR and will not be affected by this project. Nor will this review address certain impacts identified in the General Plan EIR that are considered to have no bearing on the proposed Housing Element Amendment.

Surrounding Land Uses and Setting: The project covers the entire unincorporated area.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

Aesthetics	Agriculture Resources	Air Quality
Biological Resources	Cultural Resources	Geology / Soils
Hazards & Hazardous Materials	Hydrology / Water Quality	Land Use / Planning
Mineral Resources	Noise	Population / Housing
Public Services	Recreation	Transportation/Traffic
Utilities / Service Systems	Mandatory Findings of Significance	

DETERMINATION

On the basis of this initial evaluation:

- I find that the proposed project **COULD NOT** have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A **MITIGATED NEGATIVE DECLARATION** will be prepared.
- I find that the proposed project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.
- I find that the proposed project **MAY** have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect: 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards; and 2) has been addressed by mitigation measures based on the earlier analysis as described in attached sheets. An **ENVIRONMENTAL IMPACT REPORT** is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects: a) have been analyzed adequately in an earlier EIR or **NEGATIVE DECLARATION**, pursuant to applicable standards; and b) have been avoided or mitigated pursuant to that earlier EIR or **NEGATIVE**

DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature: _____ Date: June 5, 2008

Printed
Name: Shawna Purvines For: El Dorado County

Signature: _____ Date: June 5, 2008

Printed
Name: Lawrence W. Appel For: El Dorado County

OVERVIEW

This Initial Study has been prepared in accordance with the California Environmental Quality Act (CEQA) to evaluate the potential environmental impacts resulting from a proposed amendment to the Housing Element of the County General Plan.

The Housing Element is a state-mandated component of the General Plan, and sets forth the County's policy regarding the development, maintenance, and improvement of housing for all economic segments of the unincorporated area. Housing Element policies related to development are reflected in the Land Use Element and the Zoning Ordinance. For example, the Housing Element contains policies to encourage the development of affordable housing commensurate with the unincorporated area's fair share of regional needs. These policies are implemented through General Plan land use categories and zoning designations. Since the proposed 2008 Housing Element update is consistent with the Land Use Element and Zoning Ordinance, its adoption would not alter the type, location, or rate of development, and would not result in any environmental impacts beyond those analyzed in the previous EIR prepared for the 2004 General Plan and the Supplemental EIRs prepared for the Traffic Impact Fee Program (2006) and the General Plan Floor Area Ratio amendment (2007).

Focus

The EIR for the County General Plan was developed as a program EIR that was "intended to provide information at a more general level of detail" (EDC 2004). As described in the State CEQA Guidelines Section 15168, a program EIR can be used to simplify the task of preparing environmental documents on later parts of the program (e.g., adoption of a revised Housing Element). As a result and where appropriate, this document incorporates by reference information and conclusions of the General Plan EIR, including topics on regional influences, secondary effects, cumulative impacts, and other factors that would apply to the plan as a whole.

Project Schedule and Approvals

This Initial Study is being circulated for public and agency review for a 20-day period. Written comments on the Initial Study should be submitted to the project planner indicated in the Summary section, above. Following the close of the written comment period, the Initial Study will be considered by the Board of Supervisors in a public meeting and will be certified if it is determined to be in compliance with CEQA. The Board will also determine whether to approve the Housing Element update at that time.

EVALUATION OF ENVIRONMENTAL IMPACTS

1. A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project would not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
2. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. Once the lead agency has determined that a particular physical impact may occur, the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is a fair argument that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
4. "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level.
5. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c) (3) (D). In this case, a brief discussion should identify the following:
 - a. Earlier Analysis Used. Identify and state where they are available for review.
 - b. Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c. Mitigation Measures. For effects that are "Less Than Significant With Mitigation Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
7. Supporting Information Sources: A source list should be attached, and other sources used, or individuals contacted should be cited in the discussion.
8. This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
9. The explanation of each issue should identify:
 - a. the significance criteria or threshold, if any, used to evaluate each question; and
 - b. the mitigation measure identified, if any, to reduce the impact to less than significant.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
--------------------------------	---	------------------------------	-----------

ENVIRONMENTAL IMPACTS

I. AESTHETICS. <i>Would the project:</i>			
a. Have a substantial adverse effect on a scenic vista?			X
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?			X
c. Substantially degrade the existing visual character quality of the site and its surroundings?			X
d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?			X

Discussion:

A substantial adverse effect to Visual Resources would result in the introduction of physical features that are not characteristic of the surrounding development, substantially change the natural landscape, or obstruct an identified public scenic vista.

- a & b. **Scenic Vista and Resources.** The Housing Element update would have no effect on future development levels and therefore would not result in any impacts beyond those identified in the adopted General Plan and EIR. No development approvals would be granted as a result of the Housing Element update. Future project sites may be identified by the County as a scenic view or resource. However, without specific details regarding future developments, it is impossible to determine potential impacts to scenic vistas within the County with any precision. Future development will be reviewed to determine compliance with the County's development standards as well as to determine impacts to scenic vistas. No impacts would occur and no mitigation measures are necessary in connection with this Housing Element amendment.
- c. **Visual Character.** The Housing Element update would have no effect on future development levels and therefore would not result in any impacts beyond those identified in the adopted General Plan and EIR. Future development would be required to be consistent with adopted General Plan policies that reduce degradation of visual resources. General Plan policies 2.6.1.1, 2.6.1.6, 7.5.2.1, 7.5.2.2 and 7.5.2.3 provide protection of visual character in the County. No impacts would occur and no mitigation measures are necessary in connection with this Housing Element amendment.
- d. **Light and Glare.** The Housing Element update would have no effect on future development levels and therefore would not result in any impacts beyond those identified in the adopted General Plan and EIR. Prior to approval of any development, Planning Services would review

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
--------------------------------	---	------------------------------	-----------

the proposed project to determine if whether future outdoor lighting sources comply with the provisions of the Zoning Ordinance. The potential lighting sources would be required to be consistent with the existing conditions in the area. No impacts would occur and no mitigation measures are necessary in connection with this Housing Element amendment.

Finding

The Housing Element update would have no effect on future development levels and therefore would not result in any impacts beyond those identified in the adopted General Plan and EIR. No mitigation is necessary.

III. AIR QUALITY. <i>Would the project:</i>				
a. Conflict with or obstruct implementation of the applicable air quality plan?				X
b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?				X
c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?				X
d. Expose sensitive receptors to substantial pollutant concentrations?				X
e. Create objectionable odors affecting a substantial number of people?				X

Discussion:

A substantial adverse effect on Air Quality would occur if:

- Emissions of ROG and No_x, will result in construction or operation emissions greater than 82lbs/day (See Table 5.2, of the El Dorado County Air Pollution Control District – CEQA Guide);
- Emissions of toxic air contaminants cause cancer risk greater than 1 in 1 million (10 in 1 million if best available control technology for toxics is used) or a non-cancer Hazard Index greater than

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
--------------------------------	---	------------------------------	-----------

1. In addition, the project must demonstrate compliance with all applicable District, State and U.S. EPA regulations governing toxic and hazardous emissions.

a-c.

Air Quality Plan and Standards. Since the level of development would not increase as a result of the Housing Element update, construction air quality impacts would be comparable to those identified in the adopted General Plan. Under buildout conditions, development would result in a temporary generation of emissions resulting from site grading, excavation and other development related activities. Future development would be required to comply with Air Quality Management District (AQMD) rules during project construction. Prior to issuance of a grading permit for onsite and offsite improvements, a Fugitive Dust Plan would be required. No new impacts would occur and no mitigation measures are necessary in connection with this Housing Element amendment.

d-e.

Sensitive Receptors and Objectionable Odors. The Housing Element update would have no effect on future development levels and therefore would not result in any impacts beyond those identified in the adopted General Plan and EIR. Future development will be required to comply with District rules during project construction. Compliance with District rules will reduce short-term potential impacts to a less than significant level. Potential long-term impacts will be addressed through the Development Review application process. Approval of future uses through the Development Review process will impose mitigation requirements to reduce potential impacts. No additional impacts would occur and no mitigation measures are necessary in connection with this Housing Element amendment.

Finding

A significant air quality impact is defined as any violation of an ambient air quality standard, any substantial contribution to an existing or projected air quality violation, or any exposure of sensitive receptors to substantial pollutant concentrations. As discussed above, the proposed Housing Element amendment would not cause any additional construction that could affect air quality. The Housing Element update would have no effect on future development levels and therefore would not result in any impacts beyond those identified in the adopted General Plan and EIR. No mitigation is necessary.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
--------------------------------	---	------------------------------	-----------

VIII. HYDROLOGY AND WATER QUALITY. <i>Would the project:</i>				
	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
a. Violate any water quality standards or waste discharge requirements?				X
b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?				X
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or -off-site?				X
d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?				X
e. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?				X
f. Otherwise substantially degrade water quality?				X
g. Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				X
h. Place within a 100-year flood hazard area structures which would impede or redirect flood flows?				X
i. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?				X
j. Inundation by seiche, tsunami, or mudflow?				X

Discussion:

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
--------------------------------	---	------------------------------	-----------

A substantial adverse effect on Hydrology and Water Quality would occur if the implementation of the project would:

- Expose residents to flood hazards by being located within the 100-year floodplain as defined by the Federal Emergency Management Agency;
- Cause substantial change in the rate and amount of surface runoff leaving the project site ultimately causing a substantial change in the amount of water in a stream, river or other waterway;
- Substantially interfere with groundwater recharge;
- Cause degradation of water quality (temperature, dissolved oxygen, turbidity and/or other typical storm water pollutants) in the project area; or
- Cause degradation of groundwater quality in the vicinity of the project site.

a & f. **Water Quality Standards.** The Housing Element amendment would have no effect on future development levels and therefore would not result in any impacts beyond those identified in the adopted General Plan and EIR. Under buildout conditions, development would increase, building footprints are likely to increase on individual development sites. This is anticipated to potentially result in an increase in the level of surface-water pollutants associated with construction activities. Such construction activities as grading have the potential to cause significant erosion, siltation, and turbidity impacts in nearby drainages. Construction activities often result in petroleum products and debris entering nearby drainages, along with accidental spills of material used during construction. Some of these pollutants can enter groundwater. Policies 5.4.1.2, 7.1.2.2, 7.1.2.1, 7.1.2.3, 7.2.3.7, and 7.2.3.10, in the adopted General Plan, combined with the related County and state regulatory and permit programs, would prevent these impacts from being significant. The Housing Element amendment would result in no impacts that were not previously addressed in the General Plan EIR. No mitigation measures are required.

b. **Groundwater.** The proposed Housing Element amendment would not result in any additional development beyond what is currently planned. The Housing Element amendment would result in no impacts that were not previously addressed in the General Plan EIR. No mitigation measures are required.

c. **Erosion Control Plan.** The proposed Housing Element amendment would not result in any additional development beyond what is currently planned. Prior to approval of any future development, the Department of Transportation would review the proposed project and would require a Grading Plan for any proposed road improvements. The Grading Plan would be required to be in conformance with the *Grading, Erosion and Sediment Control Ordinance*. Adherence to the standards of the Ordinance would reduce potential erosion impacts to a less

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
--------------------------------	---	------------------------------	-----------

than significant level. The Housing Element amendment would result in no impacts that were not previously addressed in the General Plan EIR. No mitigation measures are required.

- d. **Existing Drainage Pattern.** The proposed Housing Element amendment would not result in any additional development beyond what is currently planned. Future development would require drainage, erosion control and plan for the required road improvements and any onsite grading. Adherence to the plan would reduce impacts to a less than significant level. The Housing Element amendment would result in no impacts that were not previously addressed in the General Plan EIR. No mitigation measures are required.
- e. **Storm Water Run-off.** The proposed Housing Element amendment would not result in any additional development beyond what is currently planned. Erosion control plans would be required for any future road improvements. Adherence to the erosion plans would reduce the impacts to a less than significant level. The Housing Element amendment would result in no impacts that were not previously addressed in the General Plan EIR. No mitigation measures are required.
- g, h, & i. **Flooding.** The proposed Housing Element amendment would not result in any additional development beyond what is currently planned. The Housing Element amendment would result in no impacts that were not previously addressed in the General Plan EIR. No mitigation measures are required.
- j. **Seiche, tsunami, or mudflow.** The proposed Housing Element amendment would not result in any additional development beyond what is currently planned. The potential impacts due to a seiche, tsunami, or mudflow are remote. Impacts would be less than significant. The Housing Element amendment would result in no impacts that were not previously addressed in the General Plan EIR. No mitigation measures are required.

Finding

The proposed Housing Element amendment would not result in any additional development beyond what is currently planned. The Housing Element amendment would result in no impacts that were not previously addressed in the General Plan EIR. No mitigation measures are required.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
--------------------------------	---	------------------------------	-----------

IX. LAND USE PLANNING. <i>Would the project:</i>			
a. Physically divide an established community?			X
b. Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?			X
c. Conflict with any applicable habitat conservation plan or natural community conservation plan?			X

Discussion:

A substantial adverse effect on Land Use would occur if the implementation of the project would:

- Result in the conversion of Prime Farmland as defined by the State Department of Conservation;
- Result in conversion of land that either contains choice soils or which the County Agricultural Commission has identified as suitable for sustained grazing, provided that such lands were not assigned urban or other nonagricultural use in the Land Use Map;
- Result in conversion of undeveloped open space to more intensive land uses;
- Result in a use substantially incompatible with the existing surrounding land uses; or
- Conflict with adopted environmental plans, policies, and goals of the community.

- a. **Established Community.** The Housing Element amendment would not alter the location or nature of development described in the General Plan and EIR. All future development projects will continue to be regulated by the General Plan Land Use Element and the Zoning Ordinance. No impacts that were not previously analyzed in the General Plan EIR would occur, and no mitigation is necessary.
- b. **Land Use Plan.** The General Plan EIR identified less than significant impacts associated with consistency with applicable plans, policies and regulations of other agencies under 2025 conditions. The Housing Element amendment is consistent with the Land Use Element and would have no effect on the location or nature of development. All future development projects will continue to be regulated by the General Plan Land Use Element and the Zoning Ordinance. No impacts that were not previously analyzed in the General Plan EIR would occur, and no mitigation is necessary.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
--------------------------------	---	------------------------------	-----------

- c. **Habitat Conservation Plan.** Housing Element amendment is consistent with the Land Use Element and would have no effect on the location or nature of development. All future development projects will continue to be regulated by the General Plan Land Use Element and the Zoning Ordinance. No impacts that were not previously analyzed in the General Plan EIR would occur, and no mitigation is necessary.

Finding

The proposed Housing Element amendment would not result in any additional development beyond what is currently planned. The Housing Element amendment would result in no impacts that were not previously addressed in the General Plan EIR. No mitigation measures are required.

XI. NOISE. <i>Would the project result in:</i>				
a. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?				X
b. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?				X
c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?				X
d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?				X
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise level?				X
f. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				X

Discussion:

A substantial adverse effect due to Noise would occur if the implementation of the project would:

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
--------------------------------	---	------------------------------	-----------

- Result in short-term construction noise that creates noise exposures to surrounding noise sensitive land uses in excess of 60dBA CNEL;
- Result in long-term operational noise that creates noise exposures in excess of 60 dBA CNEL at the adjoining property line of a noise sensitive land use and the background noise level is increased by 3dBA, or more; or
- Results in noise levels inconsistent with the performance standards contained in Table 6-1 and Table 6-2 in the El Dorado County General Plan.

a-d. **Noise Standards.** The Housing Element amendment would have no effect on the location or nature of development. All future development projects will continue to be regulated by the General Plan Land Use Element, Zoning Ordinance and Noise Ordinance. All future development will be subject to General Plan Policy 6.5.11 regarding construction noise. Construction activities would be limited to 7 a.m. to 7 p.m. during weekdays and 8 a.m. to 5 p.m. on weekends and federally recognized holidays. Adherence to California Building Code requirements for onsite noise would be required. The General Plan EIR concluded that short-term and long-term impacts would be less than significant. No impacts that were not previously analyzed in the General Plan EIR would occur, and no mitigation is necessary.

e & f. **Airport Noise.** As described in the General Plan EIR, 2025 and buildout conditions would result in an increase potential exposure of new noise-sensitive receptors to aircraft noise by potentially increasing localized development in areas within the aircraft noise contour. Because the specific site designs and locations are not currently known, it is conceivable that an increased number of receptors could be exposed to aircraft noise levels. General Plan Policy 6.5.2.1 requires all projects, including single-family residential, within the 55 dB/CNEL contour of a County airport to be evaluated against the noise guidelines and policies in the applicable CLUP. Policy 6.5.2.2 states that the County shall develop and apply a combining zone district for areas located within the 55 dB/CNEL contour of airports. Lastly, Policy 6.5.2.3 requires all airports which have not developed noise level contours consistent with the General Plan forecast year of 2025 to update the respective Master Plans and CLUPs to reflect aircraft operation noise levels in the year 2025. Therefore, implementation of relevant General Plan goals and policies would help to protect both existing and proposed sensitive land uses and receptors. The Housing Element amendment would have no effect on the location or nature of development. No impacts that were not previously analyzed in the General Plan EIR would occur, and no mitigation is necessary.

Finding

Potential short- and long-term noise sources will be required to comply with established noise standards and policies. The proposed Housing Element amendment would not result in any change in the amount

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
--------------------------------	---	------------------------------	-----------

or location of development beyond what is currently planned. The Housing Element amendment would result in no impacts that were not previously addressed in the General Plan EIR. No mitigation measures are required.

XII. POPULATION AND HOUSING. <i>Would the project:</i>				
a. Induce substantial population growth in an area, either directly (i.e., by proposing new homes and businesses) or indirectly (i.e., through extension of roads or other infrastructure)?				X
b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				X
c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				X

Discussion:

A substantial adverse effect on Population and Housing would occur if the implementation of the project would:

- Create substantial growth or concentration in population;
- Create a more substantial imbalance in the County’s current jobs to housing ratio; or
- Conflict with adopted goals and policies set forth in applicable planning documents.

a-c. **Population Growth.** Adoption of the 2008 Housing Element amendment would not alter existing land use designations in the unincorporated County. Population forecasts were derived based on housing projections, which would not change under the projected 2025 conditions as analyzed by Bay Area Economics in their review of EPS’s study utilized in the General Plan. As part of this Housing Element update, no impacts would result that were not previously addressed in the General Plan EIR. No mitigation measures are required.

Finding

The Housing Element amendment would result in no impacts that were not previously addressed in the General Plan EIR. The project would not displace housing. There is no potential for a significant impact due to substantial growth with the proposed amendment either directly or indirectly. No mitigation measures are required.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
--------------------------------	---	------------------------------	-----------

<p>XIII. PUBLIC SERVICES. <i>Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:</i></p>			
a. Fire protection?	X		X
b. Police protection?		X	X
c. Schools?		X	X
d. Parks?		X	X
e. Other government services?		X	X

Discussion:

A substantial adverse effect on Public Services would occur if the implementation of the project would:

- Substantially increase or expand the demand for fire protection and emergency medical services without increasing staffing and equipment to meet the Department's/District's goal of 1.5 firefighters per 1,000 residents and 2 firefighters per 1,000 residents, respectively;
 - Substantially increase or expand the demand for public law enforcement protection without increasing staffing and equipment to maintain the Sheriff's Department goal of one sworn officer per 1,000 residents;
 - Substantially increase the public school student population exceeding current school capacity without also including provisions to adequately accommodate the increased demand in services;
 - Place a demand for library services in excess of available resources;
 - Substantially increase the local population without dedicating a minimum of 5 acres of developed parklands for every 1,000 residents; or
 - Be inconsistent with County adopted goals, objectives or policies.
- a. **Fire Protection.** Adoption of the 2008 Housing Element amendment would not alter existing land use designations or development patterns in the unincorporated County. New fire protection and emergency medical services and facilities are developed primarily in response to population growth within the County. The Housing Element amendment would not increase the anticipated population growth analyzed in the General Plan EIR. Prior to any new development, the Fire Department will review the plans to determine the adequacy of fire protection services in the

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
--------------------------------	---	------------------------------	-----------

area. Fire Districts have been granted the authority by the State Legislature to collect impact fees at the time a building permit is secured. As part of this Housing Element update, no impacts would result that were not previously addressed in the General Plan EIR. No mitigation measures are required.

- b. **Police Protection.** General Plan Policies 5.1.2.1 through 5.1.2.3 require new development to contribute its fair share to the cost of police services. These policies ensure that law enforcement facilities are planned and built in accordance with the need generated by the higher intensities of development. Adoption of the 2008 Housing Element amendment would not alter development plans for the unincorporated County, and therefore no new impacts to police protection services would occur that were not addressed in the General Plan EIR. No mitigation measures are required.
- c-e. **Schools, Parks and Other Facilities.** General Plan goals and policies provide guidelines to ensure coordination with schools, parks and other services. Impact fees are collected at the time a building permit is secured to help offset any growth impacts. No change to the location or magnitude of development would occur as a direct result of the Housing Element, and therefore no new impacts to schools, parks or other similar facilities would occur that were not addressed in the General Plan EIR. No mitigation measures are required.

Finding

The Housing Element amendment would result in no impacts that were not previously addressed in the General Plan EIR. No mitigation measures are required.

XV. TRANSPORTATION/TRAFFIC. <i>Would the project:</i>			
a. Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?			X
b. Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?			X
c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?			X

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
--------------------------------	---	------------------------------	-----------

XV. TRANSPORTATION/TRAFFIC. <i>Would the project:</i>			
d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?			X
e. Result in inadequate emergency access?			X
f. Result in inadequate parking capacity?			X
g. Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?			X

Discussion:

A substantial adverse effect on traffic would occur if the implementation of the project would:

- Result in an increase in traffic, which is substantial in relation to the existing traffic load and capacity of the street system;
- Generate traffic volumes which cause violations of adopted level of service standards (project and cumulative); or
- Result in, or worsen, Level of Service “F” traffic congestion during weekday, peak-hour periods on any highway, road, interchange or intersection in the unincorporated areas of the county as a result of a residential development project of 5 or more units.

a-b. **Capacity and Level of Service.** The existing physical conditions for the transportation system serving El Dorado County are described in detail in the General Plan EIR, with updated information regarding anticipated roadway levels of service (LOS) provided in the Traffic Impact Mitigation Fee Program Supplemental Environmental Impact Report for the (TIM Fee SEIR) certified August 22, 2006. The General Plan EIR describes specific transportation system components in the County, including the regional roadway system, state highways, major County roads, and including public transit, non-motorized transportation, and aviation. The Department of Transportation would likely require a traffic study prior to any development that could cause significant impacts. The study would determine if the project would worsen the Level of Service of any roads serving the proposed project, and would recommend mitigation measures for any increase in traffic in the project area. Adoption of the 2008 Housing Element amendment would not alter existing land use designations or development patterns in the unincorporated County. No new impacts that were not previously addressed in the General Plan EIR would occur, and no mitigation measures are required.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
--------------------------------	---	------------------------------	-----------

c thru f. **Traffic increase, Hazard, Emergency Access and Parking:** Adoption of the 2008 Housing Element amendment would not alter existing land use plans or development patterns in the unincorporated County. No new development would be authorized as part of the Housing Element update. Prior to development of any project, the applicant will be required to mitigate any traffic hazards, provide road improvements and to increase the road width and emergency vehicle load ratings pursuant to fire safe regulations and may be placed as conditions of approval for future development. The applicant will also be required to submit plans demonstrating compliance with the off-street parking requirements of the Zoning ordinance. No new impacts that were not previously addressed in the General Plan EIR would occur, and no mitigation measures are required.

g. **Alternative Transportation.** Adoption of the 2008 Housing Element amendment would not alter existing land use plans or development patterns in the unincorporated County. No new development would be authorized as part of the Housing Element update. The 2004 General Plan EIR determined that insufficient transit capacity was significant and unavoidable under both the year 2025 and building out conditions and a Statement of Overriding Consideration was adopted with the EIR. The determination was based on insufficient spaces at park-and-ride lots to serve the population. The Housing Element update would not increase the total amount of residents nor would it increase the demand on transit. Under buildout conditions, there is an anticipated increase in population and therefore it is probable that additional needs for transit services would be created. Prior to any new development, the El Dorado Transit Authority would review the project and would determine if additional alternative transportation improvements are necessary. No new impacts that were not previously addressed in the General Plan EIR would occur, and no mitigation measures are required.

Finding

The Housing Element amendment would result in no impacts to traffic and transportation that were not previously addressed in the General Plan EIR. No mitigation measures are required.

XVI. UTILITIES AND SERVICE SYSTEMS. <i>Would the project:</i>				
a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?				X
b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				X

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
--------------------------------	---	------------------------------	-----------

XVI. UTILITIES AND SERVICE SYSTEMS. <i>Would the project:</i>			
c. Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			X
d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?			X
e. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?			X
f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?			X
g. Comply with federal, state, and local statutes and regulations related to solid waste?			X
h. Result in demand for expansion of power or telecommunications service facilities without also including provisions to adequately accommodate the increased or expanded demand.			X

Discussion:

A substantial adverse effect on Utilities and Service Systems would occur if the implementation of the project would:

- Breach published national, state, or local standards relating to solid waste or litter control;
- Substantially increase the demand for potable water in excess of available supplies or distribution capacity without also including provisions to adequately accommodate the increased demand, or is unable to provide an adequate on-site water supply, including treatment, storage and distribution;
- Substantially increase the demand for the public collection, treatment, and disposal of wastewater without also including provisions to adequately accommodate the increased demand, or is unable to provide for adequate on-site wastewater system; or

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
--------------------------------	---	------------------------------	-----------

- Result in demand for expansion of power or telecommunications service facilities without also including provisions to adequately accommodate the increased or expanded demand.
- a. **Wastewater.** New or expanded onsite wastewater treatment system (OWTS) and private community disposal systems would be required to serve the developments outside the service area of EID’s wastewater collection system. This project recommends the County develop a program that allows for multi-family development on parcels with Commercial land use designations. Under General Plan 2025 conditions and its associated population growth, all development is expected to lead to a substantial increase in OWTS resulting in significant and unavoidable impacts. The Housing Element update would not result in an increase of development levels for the 2025 conditions above what has already been identified and reviewed in the adopted General Plan. The 2004 General Plan implemented Policy 5.3.2.4, which establishes a septic system monitoring program that requires monitoring of septic systems as necessary. New development will be subject to Policy 5.3.2.4, coupled with the design requirements for OWTS as imposed by the County. No new impacts that were not previously addressed in the General Plan EIR would occur, and no mitigation measures are required.
- b., d., e. **New Facilities.** The Housing Element update would result in no additional development beyond what is allowed under the General Plan and Zoning Ordinance. The 2004 General Plan development assumptions provide the basis for the projections of the type, location, and capacity of County water supply demands. It has been determined that most of the increase in water demand caused by the 2004 General Plan would occur within El Dorado Irrigation District (EID) service area, while the area serviced by the Grizzly Flat Community Services District (South County) would experience the greatest growth in demand in terms of percentage change. Limited amounts of growth are expected in the Georgetown Public Utilities District (North County) service area. Under 2025 conditions the Housing Element amendment would not result in increased development beyond what was projected under the adopted General Plan. As such, there would be no increase the demand for water supply and this impact would remain comparable to the significance of this impact as evaluated in the adopted General Plan EIR. Adopted General Plan implemented three policies and an implementation measures (Policy 2.2.5.20, Policy 5.2.1.9, Policy 5.2.1.10, and Measure LU-C) in order to address the likelihood of surface water shortages. Policy 2.2.5.20 and Measure LU-C establish a General Plan conformity review process for all development projects. Policy 5.2.1.9 requires applicants of proposed development to submit verification that adequate surface water supply from existing water supply facilities is adequate and physically available to meet the highest demand that could be permitted by the approval on the lands in question. Policy 5.2.1.10 establishes County support of water conservation and recycling projects that can help reduce water demand and projected shortages. In addition to these General Plan provisions, the County would continue to be required to comply with the provisions of Senate Bill (SB) 610 and 221 regarding the identification and verification of water supply service for future development requests as part of their project

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
--------------------------------	---	------------------------------	-----------

consideration. Future development will be required to connect to existing facilities and demonstrate the existing capacity of facilities in the area. No new impacts that were not previously addressed in the General Plan EIR would occur, and no mitigation measures are required.

- c. **Storm Water Drainage.** The Housing Element update would result in no additional development beyond what is allowed under the General Plan and Zoning Ordinance. Any drainage facilities required to serve new development will be built in conformance with the standards contained in the “*County of El Dorado Drainage Manual*,” as determined by the Department of Transportation. No new impacts that were not previously addressed in the General Plan EIR would occur, and no mitigation measures are required.

- f & g. **Solid Waste.** The Housing Element update would result in no additional development beyond what is allowed under the General Plan and Zoning Ordinance. The General Plan EIR addressed solid and hazardous waste disposal under Impact 5.6-1, and determined that the impact would be less than significant under both 2025 and buildout conditions. Since the Housing Element amendment would not result in a level of development exceeding growth projections in the General Plan, no new impacts would occur and no mitigation measures are required.

- h. **Power.** The Housing Element update would result in no additional development beyond what is allowed under the General Plan and Zoning Ordinance. Since the Housing Element amendment would not result in a level of development exceeding growth projections in the General Plan, no new impacts would occur and no mitigation measures are required.

Finding

The Housing Element amendment would result in no impacts to utilities and service systems that were not previously addressed in the General Plan EIR. No mitigation measures are required.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
--------------------------------	---	------------------------------	-----------

XVII. MANDATORY FINDINGS OF SIGNIFICANCE. Does the project:			
a. Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?			X
b. Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?			X
c. Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?			X

Discussion

- a. Pursuant to Public Resources Code 21083.3 and State CEQA Guidelines Section 15177, the County has determined that the Housing Element update is within the scope of the General Plan EIR adopted July 2004. Therefore, this initial study only looks at issues specific and unique to the Housing Element Amendment and current setting conditions, and does not re-evaluate issues adequately addressed in the previous General Plan EIR or Supplemental EIR completed for the Floor Area Ratio Amendment adopted on July 10, 2007. This review does not address Agriculture and Forestry, Geology, Soils and Mineral Resources, Biological Resources and Cultural Resources, Recreation, Hazards and Lake Tahoe Basin, which were previously addressed in the General Plan EIR and will not be affected by this project. Therefore, this project will not degrade the quality of the environment, reduce habitat, threaten plant or animal communities or eliminate important examples of California history or prehistory. No new impacts would occur that were not previously addressed.

- b. No new development would be authorized as part of the 2008 Housing Element update. Prior to development, additional reports and studies would be necessary to determine the potential impacts to the project site and to the neighborhood. There would be no significant impacts related to aesthetics, air quality, hazards/hazardous materials, hydrology/water quality, land use/planning, noise, population/housing, public services, traffic/transportation, or utilities/service systems that would combine with similar effects such that the project's contribution would be

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
--------------------------------	---	------------------------------	-----------

cumulatively considerable. For these issue areas, there would be no additional impacts beyond those previously addressed in the General Plan EIR and related supplemental analyses.

- c. Due to the type of the proposed project, activities proposed, and general environmental conditions analyzed in the General Plan EIR, there would be no environmental effects that would cause substantial adverse impacts on people either directly or indirectly. No additional impacts beyond those previously addressed in the General Plan EIR and related supplemental analyses would occur.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
--------------------------------	---	------------------------------	-----------

SUPPORTING INFORMATION SOURCE LIST

The following documents are available at the El Dorado County Planning Department in Placerville.

El Dorado County General Plan Draft Environmental Impact Report

- Volume I - Comments on Draft Environmental Impact Report
- Volume II - Response to Comment on DEIR
- Volume III - Comments on Supplement to DEIR
- Volume IV - Responses to Comments on Supplement to DEIR
- Volume V - Appendices

El Dorado County General Plan - Volume I - Goals, Objectives, and Policies

El Dorado County General Plan - Volume II - Background Information

Findings of Fact of the El Dorado County Board of Supervisors for the General Plan

El Dorado County General Plan Amendment (TIM FEE) Supplemental EIR, August 2006

El Dorado County General Plan Amendment, (FAR) Supplemental EIR, July 2007

El Dorado County Zoning Ordinance (Title 17 - County Code)

County of El Dorado Drainage Manual (Resolution No. 67-97, Adopted March 14, 1995)

County of El Dorado Grading, Erosion and Sediment Control Ordinance (Ordinance No. 3883, amended Ordinance Nos. 4061, 4167, 4170)

El Dorado County Design and Improvement Standards

El Dorado County Subdivision Ordinances (Title 16 - County Code)

Soil Survey of El Dorado Area, California

California Environmental Quality Act (CEQA) Statutes (Public Resources Code Section 21000, et seq.)

Title 14, California Code of Regulations, Chapter 3, Guidelines for Implementation of the California Environmental Quality Act (Section 15000, et seq.)

Traffic Impact Analysis, Red Hook & Sanders Mixed-Use Project, Pollock Pines; Prepared by Kimley-Horn and Associates, Inc, June 26, 2007

STATE OF CALIFORNIA - BUSINESS, TRANSPORTATION AND HOUSING AGENCY
DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF HOUSING POLICY DEVELOPMENT

1800 Third Street, Suite 430
P. O. Box 952053
Sacramento, CA 94252-2053
(916) 323-3177 / FAX (916) 327-2643
www.hcd.ca.gov

ARNOLD SCHWARZENEGGER Governor



June 2, 2008

Mr. David Storer, Interim Assistant Chief Administrative
Officer Development Service Director
County of El Dorado
2850 Fairlane Court
Placerville, CA 95667

Dear Mr. Storer:

RE: Review of the County of El Dorado's Draft Housing Element Update

Thank you for submitting El Dorado's draft housing element update received for review on April 4, 2008. The Department is required to review draft housing elements and report the findings to the locality pursuant to Government Code Section 65585(b). A telephone conversation with Mr. Larry Appel, Deputy Director of Planning Services, Ms. Joyce Aldrich, Program Manager, Ms. Shawna Purvines, Senior Planner, Ms. Paula Frantz, Deputy County Council, and Mr. John Douglas, the County's Consultant, on May 29, 2008, facilitated the review.

The draft element addresses many statutory requirements; however, revisions will be necessary to comply with State housing element law (Article 10.6 of the Government Code). In particular, the element must include analyses of the adequacy of identified sites to accommodate the regional housing need for lower-income households, zoning for a variety of housing types and potential governmental constraints. These and other revisions needed to comply with State law are described in the enclosed Appendix.

The Department stands ready to facilitate the County's efforts to bring the element into compliance with State housing element law. If you have any questions or would like to schedule a meeting, please contact Melinda Coy, of our staff, at (916) 445-5307.

Sincerely,

Cathy E. Creswell
Deputy Director

Enclosure

APPENDIX EL DORADO COUNTY

The following changes would bring El Dorado's housing element into compliance with Article 10.6 of the Government Code. Accompanying each recommended change, we cite the supporting section of the Government Code.

Housing element technical assistance information is available on the Department's website at www.hcd.ca.gov/hpd. Refer to the Division of Housing Policy Development and the section pertaining to State Housing Planning. Among other resources, the Housing Element section contains the Department's latest technical assistance tool *Building Blocks for Effective Housing Elements (Building Blocks)* available at http://www.hcd.ca.gov/hpd/housing_element/index.html, the Department's publication, *Housing Element Questions and Answers (Qs & As)*, and the Government Code addressing State housing element law and other resources.

A. Review and Revision

Review the previous element to evaluate the appropriateness, effectiveness, and progress in implementation, and reflect the results of this review in the revised element (Section 65588 (a) and (b)).

While the element does provide some description of the County's progress towards meeting past housing element objectives, it should provide a thorough analysis of accomplishments for all programs, including quantifiable results where possible and evaluate why some objectives were not met. For example:

Measure HO-F: The element indicates the program was completed but does not give any information on how many second dwelling units or mobilehomes were allowed as a result of this program.

Measure HO-I: The element should describe and analyze the results for the first round of the TIM off-set fee program.

Measure HO-M: While the element states that objectives have been met, no discussion is included on the actual accomplishments.

Measure HO-W: The element should describe the first time homebuyer program and include information on how many households have been assisted.

B. Housing Needs, Resources, and Constraints

1. *Include an analysis of population and employment trends and documentation of projections and a quantification of the locality's existing and projected needs for all income levels, including extremely low-income households (Section 65583(a)(1)).*

Extremely Low-Income – The element did not address this requirement. In accordance with Chapter 891, Statutes of 2006, the element must quantify existing and projected extremely low-income household's and analyze their housing needs. The element may either use available Census Data to calculate number of extremely low-income households, or presume 50 percent of the very low-income households qualify as extremely low-income households. This analysis is essential to for nulating specific

- 2 -

policies and programs to assist in the development or preservation of housing for extremely low-income households. To assist the analysis, see the enclosed Comprehensive Housing Affordability Strategy (CHAS) data and Department's sample analysis from the *Building Blocks*' website at http://www.hcd.ca.gov/hpd/housing_element/screen06_hn.pdf.

2. *Include an analysis and documentation of household characteristics, including level of payment compared to ability to pay, housing characteristics, including housing stock condition (Section 65583(a)(2)).*

The element should quantify and analyze the level of overpayment for all households. In addition the element uses data from a housing conditions survey completed in 1995 to demonstrate the total number of units in need of rehabilitation and replacement. An updated estimate should be provided and could be based on a more recent windshield survey or sampling, estimates from the local building department, knowledgeable builders/developers in the community or nonprofit housing developers or organizations, or a combination of strategies including uses of census data for age of housing stock, or housing units Lacking Complete Plumbing Facilities. Additional information is included in the *Building Blocks*' website section on Housing Stock Characteristics at http://www.hcd.ca.gov/hpd/housing_element/screen07_hn.pdf.

3. *Include an inventory of land suitable for residential development, including vacant sites and sites having the potential for redevelopment, and an analysis of the relationship of zoning and public facilities and services to these sites (Section 65583(a)(3)). The inventory of land suitable for residential development shall be used to identify sites that can be developed for housing within the planning period (Section 65583.2).*

El Dorado County has a regional housing need of 8,044 housing units, of which 4,009 units are for lower-income households. To address this need, the element relies on a vacant sites, second units and potential mixed-use development in commercial zones. To demonstrate the adequacy of these sites and strategies to accommodate the County's share of the regional housing need, the element must include more detailed analyses, as follows:

Progress toward the RHNA – Tables B-1 and B-2 indicate that 117 units affordable to very low- and low-income households have been built or are under construction or approved. The element must describe the methodology used to credit the units toward the RHNA for very low- or low-income households based on the actual sales prices or rent levels of the units.

Realistic Capacity – The inventory utilizes commercial sites for mixed use development to meet approximately half of the County's need for lower-income households. Further, the element describes the inventory assumes only 10 percent of maximum capacity on commercially zoned sites because the County has never processed a mixed-use project (page 121). However, it is unclear how this capacity assumption was incorporated into the land inventory. For example, the inventory continues to utilize the current maximum allowable density in the commercial zone to calculate site capacity. The element should describe the methodology for determining the realistic potential for residential development on commercial sites (e.g., of the 1,115 acres designated as commercial, approximately how many or what percentage of those sites are expected to include residential development within the planning period) and describe and analyze the

methodology for determining the realistic unit capacity on those sites during the planning period (e.g., sites zoned for commercial expected to achieve a density of 24 units/acre). For commercial sites allowing residential, the analysis should specifically account for the extent to which uses other than residential are allowed and contain programs to assure realistic capacity will be maintained throughout the planning period.

Second Units – The element assumes 255 second units will be available for lower-income households based on recent development trends. The analysis should also describe the methodology for affordability assumptions.

Small Sites – Many sites in the inventory are less than a half acre. The element must include an analysis of smaller sites, demonstrating their potential residential development capacity, potential of consolidation and ability to facilitate housing for lower-income households in the planning period. The element could use past or current development trends to facilitate this analysis. This is particularly important given the dependence on small sites to accommodate the County's share of the RHNA and necessary economies of scale to facilitate development of housing affordable to lower-income households. For example, most assisted housing developments utilizing local, State or federal financial resources include at least 40 units.

Environmental Constraints – While the element describes county-wide environmental constraints (page 54) and notes identified sites accounted for slope, and some biological constraints it should include a general analysis of the full range of known environmental constraints, such as conservation easements and floodplain, that could impede development in the planning period.

Sites with Zoning for a Variety of Housing Types – The housing element must demonstrate the availability of sites, with appropriate zoning, that will encourage and facilitate a variety of housing types, including, supportive housing, single-room occupancy (SRO) units, emergency shelters, and transitional housing. An adequate analysis should, at a minimum, identify whether and how zoning districts explicitly allow the uses, analyze whether zoning, development standards and permit procedures encourage and facilitate these housing types. If the analysis does not demonstrate adequate zoning for these housing types, the element must include implementation actions to provide appropriate zoning.

For SROs: The element must identify whether SROs are explicitly permitted in the zoning ordinance and, if so, analyze how development standards encourage and facilitate the use. If SROs are not explicitly permitted, then the element should include a program to provide appropriate zoning.

For Emergency Shelters: The element indicates homeless shelters may be defined as community care facilities. However, the City should be aware of recent amendments to housing element law (Chapter 633, Statutes of 2007 [SB 2]) requiring, among other things, the identification of a zone(s) where emergency shelters are permitted without a conditional use permit (CUP) or other discretionary action and permit transitional and supportive housing as a residential use and only subject to those restrictions that apply to other residential uses of the same type in the same zone. The Department has enclosed a copy of the SB 2 technical assistance memo to assist in addressing this statutory requirement.

For Transitional and Supportive Housing: The element did not address this requirement and must identify whether and how zoning districts explicitly allow the uses, analyze whether zoning, development standards and permit procedures encourage and facilitate these housing types. Pursuant to Chapter 633 transitional and supportive housing must be permitted as a residential use and only subject to those restrictions that apply to other residential uses of the same type in the same zone.

4. *Analyze potential and actual governmental constraints upon the maintenance, improvement, and development of housing for all income levels, including land-use controls, building codes and their enforcement, site improvements, fees and other exactions required of developers, and local processing and permit procedures. The analysis shall also demonstrate local efforts to remove governmental constraints that hinder the locality from meeting its share of the regional housing need in accordance with Section 65584 (Section 65583(a)(5)).*

Fees and Exaction – The element describes typical fees at approximately \$70,000 to \$100,000 per unit, concludes fees are a constraint to development and mentions programs such as a fee waiver program. However, given the magnitude of the cumulative fees and impacts on development costs, the element must include a detailed analysis of fees to guide and strengthen programs to address fees as a constraint. For example, Traffic Impact Mitigation (TIM) Fees are a significant portion of typical fees and while the element mentions they vary by single- and multi-family, the element should identify the range of the fee for single- and multi-family, separately. In addition the element should include an analysis of the impact of the TIM fees for housing types such as second units, transitional housing, supportive housing, housing that serves persons with disabilities, housing for the elderly and mixed-use which typically have a reduced impact on traffic and transportation systems. A detailed analysis of fees is a crucial component of the housing element, particularly since a majority of vacant multifamily zoned sites on the west slope are in areas where the fees are higher (page 46). Depending on the results of this analysis the City may need to add or strengthen programs to address this constraint.

On/Off-Site Improvements – While the element describes the Design and Improvement Standards Manual, it should identify actual standards (i.e., street widths, etc.) and analyze them for potential impacts on the cost and supply of housing.

Constraints on Persons with Disabilities – The element mentions the draft reasonable accommodation ordinance, how residential care facilities are permitted, and a full review of constraints on persons with disabilities will be accomplished within three years of adoption of the element as part of Measure HO-23. However, the element must include specific analyses of potential constraints on housing for persons with disabilities as part of the housing element update. For example, the analysis should identify and analyze spacing requirements, particular conditions that are applied to residential care facilities, requirements such as business licenses for on-site service and include a detailed discussion of the County's family definition. Please see a sample analysis at http://www.hcd.ca.gov/hpd/housing_element/screen27_sb520.pdf.

5. *Analyze the opportunities for energy conservation with respect to residential development (Section 65583(a)(8)).*

The element states the County addresses energy conservation goals through Title 24 compliance, weatherization programs, and policies that encourage solar energy technology. Given the importance of promoting strategies to address climate change and energy conservation, this analysis could facilitate adoption of housing and land-use policies and programs in the housing element that meet housing and conservation objectives. Planning to maximize energy efficiency and the incorporation of energy conservation and greenbuilding features can contribute to reduced housing costs for homeowners and renters. For example, the element could include incentives to promote higher density housing along transit, encourage green building techniques and materials in new and resale homes, promote energy audits and participation in utility programs, and facilitate energy conserving retrofits upon resale of homes. Additional information on potential policies and programs to address energy conservation objectives is available in the *Building Blocks'* technical assistance tool.

6. *Analyze existing assisted housing developments that are eligible to change to non-low-income housing uses during the next 10 years due to termination of subsidy contracts, mortgage prepayment, or expiration of use restrictions (Sections 65583(a)(8) through 65583(a)(9)(D)).*

While the element does not identify any units currently at-risk within the planning period, information received from California Housing Partnership Corporation indicates one complex Diamond Springs Apartments, have affordability terms which may have expired in 2004. The element must include an analysis of the potential risk of conversion of these units including a cost estimate of replacing the at-risk units, a list of entities with the capacity to acquire at-risk developments and potential funding resources. This analysis will assist in the development of appropriate programs targeted to preserve these units. For further information on meeting this requirement, please refer to the "at-risk" section of the Department's *Building Blocks'* website. To assist with the analysis, the Department has enclosed a copy of at-risk information and a sample analysis.

C. Quantified Objectives

Include and estimate of the number of housing units, by income category, including extremely low-income, that can be constructed, rehabilitated, and conserved over a five-year time period (Section 65583(b)).

While the element includes objectives for very low-, low-, moderate- and above moderate-income households (page 78), pursuant to Chapter 891, Statutes of 2006 (AB 2634), it must also include objectives for extremely low-income households.

D. Housing Programs

- 1. Include a program which sets forth a five-year schedule of actions the local government is undertaking or intends to undertake to implement the policies and achieve the goals and objectives of the housing element through the administration of land-use and development controls, provision of regulatory concessions and incentives, and the utilization of appropriate federal and State financing and subsidy programs when available. The program shall include an identification of the agencies and officials responsible for the implementation of the various actions (Section 65583(c)).*

Programs must be revised to include specific timelines or milestones, specific objectives, quantified when possible; and description of the County's specific role in implementation. To fully address the program requirements of Government Code Section 65583(c)(1-6) programs to be revised include, but are not limited to:

Measure HO-3: Provide specific timeframes for updating the capita improvement programs.

Measure HO-6: The program (page 43) should commit to establish specific design review standards for multifamily housing and developing a process for fast-tracking approvals.

Measure HO-8: Describe how the County will work with the Tahoe Regional Planning Agency and the role of the County during the Tahoe Regional Plan update.

Measure HO-10: Clarify how the County will prioritize the development review process for projects that provide housing for very low- and low-income households, and when this process will be implemented. It should also include subsequent actions to monitor the effectiveness of this program and subsequent actions should this program not meet state objectives.

HO-15: Clarify what the public information program will entail, how the approval and status of employee housing will be tracked, and describe the timeframes for implementation.

Measure HO-16: Describe the types of incentives to be offered in the planned development combining district to encourage the inclusion of a variety of housing types.

Measure HO-17: Identify the sources of funding that will be used to support a first-time homebuyer program, and when the County will apply for those funds.

Measure HO-18: Provide specific objectives on the number of units expected to be rehabilitated throughout the planning period, and clarify if weatherization services are part of the rehabilitation program.

Measure HO-24: Describe when the County will provide education on homelessness, and when the continuum of care update will be completed.

Measure HO-30: Per conversations with City staff, this program is intended to mitigate the impact of requiring economic analysis studies through the development of a model study which projects can then use to tier off of. The program should clarify this intent, and identify the funding program which will assist to off-set the cost of this analysis for housing affordable to lower-income households.

2. *Identify adequate sites which will be made available through appropriate zoning and development standards and with public services and facilities needed to facilitate and encourage the development of a variety of types of housing for all income levels, including rental housing, factory-built housing, mobilehomes, and emergency shelters and transitional housing. Where the inventory of sites, pursuant to paragraph (3) of subdivision (a), does not identify adequate sites to accommodate the need for groups of all household income levels pursuant to Section 65584, the program shall provide for sufficient sites with zoning that permits owner-occupied and rental multifamily residential use by right, including density and development standards that could accommodate and facilitate the feasibility of housing for very low- and low-income households (Section 65583(c)(1)).*

As noted in finding B3, the element does not include a complete sites inventory or analysis and therefore, the adequacy of sites and zoning were not established. Based on the results of a complete sites inventory and analysis, the County may need to add or strengthen programs to address a shortfall of sites or zoning available to encourage a variety of housing types.

For your information, where the inventory does not identify adequate sites pursuant to Government Code Sections 65583(a)(3) and 65583.2, the element must provide a program to identify sites in accordance with subdivision (h) of 65583.2 for 100 percent of the remaining lower-income housing need with sites zoned to permit owner-occupied and rental multifamily uses by-right during the planning period. These sites shall be zoned with minimum density and development standards that permit at least 16 units per site at a density of at least 20 units per acre. Also, at least 50 percent of the remaining need must be planned on sites that exclusively allow residential uses. In addition, the following programs should be revised:

Measure HO-27 should describe the densities that will be allowed in mixed-use developments, any development standards that will be requires such as residential commercial use ratios, and the types of incentives the County will implement to encourage residential development on the identified sites.

Furthermore, as noted in finding B3 the element must now comply with the provision of Chapter 633, Statutes of 2007 (SB 2). Therefore Measure HO-25 must be updated to identify zones the County is considering where emergency shelters will be permitted without a CUP or other discretionary action and commit to permit transitional and supportive housing as a residential use and only subject to those restrictions that apply to other residential uses of the same type in the same zone. For your assistance, please see the enclosed SB 2 technical assistance memo to assist in addressing this statutory requirement.

3. *The housing element shall contain programs which "assist in the development of adequate housing to meet the needs of extremely low-, low- and moderate-income households (Section 65583(c)(2)).*

In accordance with Chapter 891, Statutes of 2006, the element must include programs to assist the development of extremely low-income households. Programs should be modified or added to specifically assist in the development of a variety of housing types to meet the needs of these households.

4. *The housing element shall contain programs which "address, and where appropriate and legally possible, remove governmental constraints to the maintenance, improvement, and development of housing" (Section 65583(c)(3)).*

As noted in finding B4, the element requires a more detailed analysis of potential governmental constraints. Depending upon the results of that analysis, the County may need to strengthen or add programs and address and remove or mitigate any identified constraints. In addition, the programs HO-4, HO-9, and HO-31 must be strengthened to address potential constraints due to the TIM as follows:

Measure HO-4: Describe how the County will promote the use of this program and identify the subsequent actions it will pursue should the TIM fee impede the development of housing affordable to lower-income households.

Measure HO-9: One of the functions of this program could be to off-set development impact fees (page 44). However, this use is not included in the program.

Measure HO-31: Describe how the County will encourage programs that will result in improved levels of service on existing roadways, the steps required to allow for reductions in the TIM fee, and subsequent actions it will pursue should the study not result in the reduction of impact fees for mixed-use developments.

5. *The housing program shall promote equal housing opportunities for all persons regardless of race, religion, sex, marital status, ancestry, national origin or color (Section 65583(c)(5)).*

The element did not address this requirement. The element should include specific commitment to disseminate fair housing information throughout the County in a variety of public locations and to establish a process to refer or resolve fair housing complaints.

6. *The housing program shall preserve for low-income household the assisted housing developments identified pursuant to paragraph (8) of subdivision (a). The program for preservation of the assisted housing developments shall utilize, to the extent necessary, all available federal, state, and local financing and subsidy programs identified in paragraph (8) of subdivision (a), except where a community has other urgent needs for which alternative funding sources are not available. The program may include strategies that involve local regulation and technical assistance (Section 65583(c)(6)).*

Pursuant to finding A6, the element requires a more detailed analysis of units at-risk. Depending on the results of that analysis, the County may need to strengthen programs, to include specific actions to address the potential loss of units. For

example, the element could include a program detailing the acquisition/rehabilitation of the Diamond Springs Apartments as described in the Department's conversation with City staff. The element should also include a program to quickly move forward if notices to convert to market-rate uses are received. The program could also include a proactive tenant noticing and education strategy and commit to identifying funds that may be available to preserve the units. Additional information and resources are available at the California Housing Partnership Corporation (<http://www.chpc.net/>).

E. Public Participation

Local governments shall make a diligent effort to achieve public participation of all economic segments of the community in the development of the housing element, and the element shall describe this effort (Section 65583(c)(7)).

While the element includes a general description of workshops and notice of meetings, the element must describe how the County has or will make a diligent effort to achieve the involvement of all economic segments particularly low- or moderate-income households or organizations that represent them in the working group or update process. For example, the element should provide information on how public participation was encouraged (i.e., types of outreach, meetings, etc.), and any ongoing efforts to engage the public and stakeholders in the implementation of the housing element. Finally, the element should include a description of the effectiveness of public participation efforts (i.e., number of participants, general comments received, etc.) and describe how comments received were incorporated into the housing element. The County should continue to engage the community through the adoption of the housing element, by, prior to submitting to the Department, making revisions available with sufficient notice to comment and considering and incorporating, where appropriate, comments, including strengthening policies and programs. The Department has enclosed a sample analysis from the *Building Blocks'* website to further assist the County in addressing this requirement.