

DEVELOPMENT SERVICES DEPARTMENT

COUNTY OF EL DORADO

<http://www.co.el-dorado.ca.us/devservices>

PLANNING
SERVICES



PLACERVILLE OFFICE:

2850 FAIRLANE COURT PLACERVILLE, CA 95667
BUILDING (530) 621-5315 / (530) 622-1708 FAX
bldgdept@co.el-dorado.ca.us
PLANNING (530) 621-5355 / (530) 642-0508 FAX
planning@co.el-dorado.ca.us
Counter Hours: 8:00 AM to 4:00 PM

LAKE TAHOE OFFICE:

3368 LAKE TAHOE BLVD. SUITE 302
SOUTH LAKE TAHOE, CA 96150
(530) 573-3330
(530) 542-9082 FAX
tahoebuild@co.el-dorado.ca.us
Counter Hours: 8:00 AM to 4:00 PM

MEMORANDUM

DATE: December 15, 2008

TO: Board of Supervisors

FROM: Peter N. Maurer, Principal Planner

SUBJECT: Policy 8.1.3.1 General Plan Amendment (A08-0002) and Criteria Resolution

Development Services Department submitting the Planning Commission and the Agricultural Commission recommendations to the Board of Supervisors regarding File A08-0002, a General Plan Amendment to Policy 8.1.3.1 and Criteria Resolution.

Recommended Action:

1. Adopt the CEQA Findings (Attachment 1);
2. Adopt the Negative Declaration environmental document (Attachment 2);
3. Adopt the proposed amendment to General Plan Policy 8.1.3.1 (Attachment 3); and
4. Adopt the Criteria Resolution (Attachment 4).

Background:

Policy 8.1.3.1 of the 2004 General Plan is one of several policies designed to protect agricultural uses by preventing incompatible development from being established adjacent to agriculturally zoned property. Policy 8.1.3.1 establishes a 10-acre minimum parcel size for residential lots being created adjacent to agricultural land. The proposed general plan amendment would provide flexibility for the decision makers on a subdivision by permitting lots smaller than 10 acres adjacent to agriculturally zoned land under circumstances as set forth in the review criteria.

The Agricultural Commission and Planning Commission have each heard this agenda item several times and have held joint meetings on the subject. The Agricultural Commission, at their November 5 and November 12, 2008 meetings (Attachments 6 and 7), moved to forward and recommend to the Planning Commission the adoption of the recommended General Plan amendment for General Plan Policy 8.1.3.1 and Exhibit A, the criteria to allow the analysis of the creation of less than 10 acre buffer parcels adjacent to agriculturally zoned lands pursuant to General Plan Policy 8.1.3.1.

The Planning Commission, at their December 11, 2008 meeting (Attachment 5), unanimously carried the motion to recommend the Board of Supervisors adopt the proposed amendment to General Plan Policy 8.1.3.1 and the revised Criteria Resolution (Attachments 1 and 2) as recommended by the Agricultural Commission.

Discussion:

Agricultural Department staff prepared a detailed analysis of parcels in Community Regions which illustrated that out of a total of 42,563 parcels there are a total of 96 parcels that could be affected by General Plan Policy 8.1.3.1 based on Land Use Designation, zoning, and parcel size. This equates to approximately .23% of all the parcels in Community Regions. There are 5,751 parcels in Rural Centers and approximately 62 may be affected by Policy 8.1.3.1, which is about 1.1% of the parcel total within Rural Centers. Attachment 8 provides the details of the staff analysis.

The criteria recommended by the Agricultural Commission and the Planning Commission will allow staff and the Ag Commission to analyze specific requests for the creation of a smaller parcel and to make informed recommendations as to whether a smaller parcel size is appropriate. This type of review and analysis appears to be the purpose of General Plan 8.1.4.1. Unless amendments are made to General Plan Policy 8.1.4.1, projects still must be heard by the Ag Commission if the project is adjacent to Ag land. The proposed criteria are a solution to unique situations where the 10 acre buffer does not seem to apply with no remedy for relief. After referral back to the Agriculture Commission by the Planning Commission, the proposed criteria were modified to allow a streamlined process in which the Development Services Director, subject to the concurrence of the Agricultural Commissioner, may approve the creation of a parcel no less than 5 acres with an Approved Plan (AP) or Open Space (OS) Land Use designation.

Agricultural Commission members concurred that the proposed criteria be adopted because the current language in the policy is very specific in that it does not allow the creation of any parcel less than 10 acres adjacent to Ag zoned lands. The recommended General Plan Amendment gives the Ag Commission the flexibility to recommend smaller parcels when appropriate.

An alternate proposal was submitted at Planning Commission and Agricultural Commission meetings that exempts any lands within Community regions from this requirement. The alternate proposal was reviewed by the Agricultural Commission and Planning Commission, who found that the “one size fits all” approach of the alternate proposal will not protect Ag currently operating within the Rural Regions of the county and adjacent to Community Regions. The same concept was presented at the December 9, 2008 Board meeting, but that meeting was continued to January 13, 2009.

Attachments: Attachment 1 – CEQA Findings
Attachment 2 – Negative Declaration
Attachment 3 – Planning Commission Recommended Policy 8.1.3.1 GPA
Attachment 4 – Criteria Resolution
Attachment 5 – Planning Commission December 11, 2008 Motion
Attachment 6 – Ag Commission November 5, 2008 Meeting Minutes
Attachment 7 – Ag Commission November 12, 2008 Motion
Attachment 8 – Ag Department Policy 8.1.3.1 Analysis
Attachment 9 – Written Public Comments