



## Legislation Details (With Text)

**File #:** 19-1150      **Version:** 1

**Type:** Agenda Item      **Status:** Approved

**File created:** 7/19/2019      **In control:** Board of Supervisors

**On agenda:** 8/6/2019      **Final action:** 8/6/2019

**Title:** HEARING - To consider the recommendation of the Planning Commission on General Plan Amendment GPA19-0002 amending three General Plan Elements with text updates (Land Use Element; Public Health, Safety, and Noise Element; and Transportation and Circulation Element); and the Planning Commission recommending the Board take the following actions:  
 1) Determine that pursuant to the California Environmental Quality Act Guidelines Section 15168, there is no substantial evidence requiring the preparation of a subsequent Negative Declaration or an Addendum to the existing El Dorado County Targeted General Plan Amendment/Zoning Ordinance Update (TGPA/ZOU) Final Program Environmental Impact Report (SCH 2012052074), adopted by the Board of Supervisors on December 15, 2015;  
 2) Approve GPA19-0002 amending the General Plan to incorporate revisions to Land Use Element Policies 2.1.1.1, 2.1.2.1, 2.2.5.11, 2.2.5.20, and Table 2-4; Public Health, Safety, and Noise Element Policies 6.2.2.2 and 6.8.1.1; and Transportation and Circulation Element Policy TC-Xa3, based on the Findings presented (Attachment D);  
 3) Adopt and authorize the Chair to sign Resolution 124-2019 amending the General Plan Public Health, Safety, and Noise Element (Attachment B);  
 4) Adopt and authorize the Chair to sign Resolution 125-2019 amending the General Plan Transportation and Circulation Element (Attachment C); and  
 5) Continue item for final action to occur with adoption of the Resolution approving the General Plan Land Use Element Amendments considered by the Board during the "General Plan Window", tentatively scheduled for August 6, 2019. (Est. Time: 10 Min.) .

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. A - Approved Contract Routing Sheet, 2. B - Resolution-Public Health, Safety, and Noise Element, 3. C- Resolution-Transportation and Circulation Element, 4. D - Findings, 5. E - Planning Commission Minute Order 07-11-19, 6. F - EDC FPO Letter 07-18-19 (Policy 6.2.2.2 and Glossary), 7. G - EDC Fire Safe Council Letter 07-24-19 (Policy 6.2.2.2-Review and Comment), 8. H - Proof of Publication-Mountain Democrat, 9. I - Proof of Publication-Georgetown Gazette, 10. J - Proof of Publication-Tahoe Tribune, 11. Staff Presentation BOS 08-06-19, 12. Executed Resolution 124-2019, 13. Executed Resolution 125-2019, 14. FINAL Findings, 15. FILED-Notice of Determination - Amended 8-8-19, 16. FILED-Notice of Determination

Date	Ver.	Action By	Action	Result
8/6/2019	1	Board of Supervisors	Approved	Pass

HEARING - To consider the recommendation of the Planning Commission on General Plan Amendment GPA19-0002 amending three General Plan Elements with text updates (Land Use Element; Public Health, Safety, and Noise Element; and Transportation and Circulation Element); and the Planning Commission recommending the Board take the following actions:  
 1) Determine that pursuant to the California Environmental Quality Act Guidelines Section 15168, there is no substantial evidence requiring the preparation of a subsequent Negative Declaration or an Addendum to the existing El Dorado County Targeted General Plan Amendment/Zoning Ordinance Update (TGPA/ZOU) Final Program Environmental Impact Report (SCH 2012052074), adopted by the Board of Supervisors on December 15, 2015;

- 2) Approve GPA19-0002 amending the General Plan to incorporate revisions to Land Use Element Policies 2.1.1.1, 2.1.2.1, 2.2.5.11, 2.2.5.20, and Table 2-4; Public Health, Safety, and Noise Element Policies 6.2.2.2 and 6.8.1.1; and Transportation and Circulation Element Policy TC-Xa3, based on the Findings presented (Attachment D);
- 3) Adopt and authorize the Chair to sign Resolution **124-2019** amending the General Plan Public Health, Safety, and Noise Element (Attachment B);
- 4) Adopt and authorize the Chair to sign Resolution **125-2019** amending the General Plan Transportation and Circulation Element (Attachment C); and
- 5) Continue item for final action to occur with adoption of the Resolution approving the General Plan Land Use Element Amendments considered by the Board during the "General Plan Window", tentatively scheduled for August 6, 2019. (Est. Time: 10 Min.) .

### **DISCUSSION / BACKGROUND**

Request to consider General Plan Amendment GPA19-0002 submitted by El Dorado County to amend General Plan Elements with the following text updates: Land Use Element Policies 2.1.1.1 and 2.1.2.1 (add approved amendments unintentionally omitted from Resolution 196-2015), 2.2.5.11 (add clarification amendment), 2.2.5.20 (delete obsolete policy), and Table 2-4 (update to include approved amendments from Resolution 196-2015); Public Health, Safety, and Noise Element Policies 6.2.2.2 (amend reference to Registered Professional Forester) and 6.8.1.1 (add amendments referencing the Airport Land Use Compatibility Plan for the South Lake Tahoe Airport); and Transportation and Circulation Element Policy TC-Xa3 (delete duplicate policy). (County Planner: Efren Sanchez) (Previously adopted Environmental Impact Report)

At the Planning Commission hearing on July 11, 2019 (Item 4, Legistar 19-1023), staff presented the Project, which included minor text amendments to three General Plan Elements: Land Use Element; Public Health, Safety, and Noise Element; and Transportation and Circulation Element. There were no public comments. However, there was discussion between staff and the Planning Commission regarding the proposed amendments to Policy 6.2.2.2 to replace "Registered Professional Forester (RPF)" with "Qualified Professional" as the preparer of Fire Safe Plans. It was noted that the El Dorado County Fire Prevention Officers Association would be meeting on July 17, 2019, with CAL FIRE to discuss Qualified Professional qualifications for a definition to add to the Glossary of the General Plan. Following closure of the public comment period and the discussion, Commissioner Williams made a motion, with a second by Commissioner Hansen, to recommend approval to the Board of staff's recommended actions with staff direction to use the Glossary definition for "Qualified Professional" as approved by the El Dorado County Fire Prevention Officers Association. The motion passed 3-0 (Commissioners Miller and Shinault were absent) (Attachment E).

Planning staff received a letter from the El Dorado County Fire Prevention Officers Association dated July 18, 2019 (Attachment F). It included their proposed modifications to Policy 6.2.2.2 to address the "Qualified Professional" definition, which would eliminate the need for a definition of "Qualified Professional" to the Glossary of the General Plan. These modifications are included in the proposed Resolution (Attachment B). Planning staff also contacted the El Dorado County Fire Safe Council and received a response letter dated July 24, 2019 (Attachment G).

The proposed revisions to the Land Use; Public Health, Safety, and Noise; and Transportation and Circulation Elements do not trigger the requirement for an Environmental Justice Element or related environmental justice goals, policies, and objectives integrated in other elements of the General Plan as contemplated by subsection 65302(h)(1) of the California Government Code, which was enacted by Senate Bill (SB) 1000 (2016). Subsection 65302(h)(1) requires the environmental justice element, or the environmental justice goals, policies, and objectives in other elements of the General Plan, to

be adopted or reviewed upon the adoption or next revision of two (2) or more elements concurrently on or after January 1, 2018, if the county has a disadvantaged community.

Section 65302 defines “disadvantaged communities” as “an area identified by the California Environmental Protection Agency pursuant to Section 39711 of the Health and Safety Code or an area that is a low-income area that is disproportionately affected by environmental pollution and other hazards that can lead to negative health effects, exposure, or environmental degradation.” The tool developed by the California Environmental Protection Agency (CalEPA) to identify disadvantaged communities is the CalEnviroScreen. The CalEnviroScreen is a mapping tool that helps identify California communities that are most affected by many sources of pollution, and where people are often especially vulnerable to pollution’s effects. There are no disadvantaged communities identified in El Dorado County at this time by CalEPA on the CalEnviroScreen tool under this definition.

### **ALTERNATIVES**

N/A

### **PRIOR BOARD ACTION**

N/A

### **OTHER DEPARTMENT / AGENCY INVOLVEMENT**

County Counsel; El Dorado County Fire Prevention Officers Association; and El Dorado County Fire Safe Council

### **FINANCIAL IMPACT**

N/A

### **CLERK OF THE BOARD FOLLOW UP ACTIONS**

- 1) Clerk to obtain the Chair's signature on the original copies of the two (2) Resolutions.
- 2) Clerk to send one (1) fully executed copy of each of the Resolutions to the Planning and Building Department, attention of Char Tim, Clerk of the Planning Commission.

### **STRATEGIC PLAN COMPONENT**

Good Governance - The minor text updates correct minor text errors, remove obsolete or redundant language, and add clarifying language, thus creating a more accurate and usable document. Recommendations are based on a complete assessment of the best available information resulting in a well-informed decision that the proposed General Plan Amendments are minor text updates that would not have a significant impact on the environment.

### **CONTACT**

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Planning and Building Department Director