



Legislation Details (With Text)

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Title: Supervisor Ranalli requests Board discuss and give direction to the Director of Planning and Building to:
 1) Analyze and return to the Board with recommendations regarding the extension of Measure Y Policy TC-Xa 3 sunset date;
 2) Analyze and return to the Board with recommendations to memorialize General Plan Transportation and Circulation Element, Table TC-2 sunset date extension;
 3) Determine what is necessary to meet CEQA for both of these actions; and
 4) Return to the Board within 30 days with the timeline necessary to meet the June 2018 ballot. (Est. Time: 1 Hr.)

Sponsors:

Indexes:

Code sections:

Attachments: 1. A - Table TC-2, 2. B - TGPA-ZOU FEIR-Pg 3.9-50, 3. C - Measure E Memo-Pg 7, 4. Public Comment Rcvd 9-19-17 BOS 9-19-17

Date	Ver.	Action By	Action	Result
9/19/2017	1	Board of Supervisors	Approved	Pass

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DISCUSSION / BACKGROUND

Measure Y, as adopted in 1998, contained policies with a sunset date of 2008. In 2008, a ballot measure approved by 71.47% of voters modified and extended the Measure Y policies to December 31, 2018. Companion policies adopted by the Board of Supervisors extended General Plan Transportation and Circulation Element, Table TC-2 to December 31, 2018, to coincide with Measure Y's new sunset date. (Note Attachment A - Table TC-2)

Measure E, approved by voters in 2016, added or modified certain General Plan Transportation and Circulation Element (TC) policies, and made those policies permanent, unless repealed or amended by voters. Recently, the El Dorado County Superior Court invalidated some of the Measure E amendments, leaving prior policy language in place.

The General Plan TC policies are now a hybrid of Measure Y, Measure E, and policies adopted by the Board of Supervisors. The issue before the Board is the extension of the December 31, 2018,

sunset dates for Policy TC-Xa 3 and Table TC-2.

Policy TC-Xa 3: The Measure E amendment to Policy TC-Xa 3 was invalidated, restoring the language and the December 31, 2018, sunset date of the prior Measure Y policy.

On December 15, 2015, the Board of Supervisors adopted a Targeted General Plan Amendment and Zoning Ordinance Update (TGPA/ZOU) with thorough CEQA review. The TGPA/ZOU EIR included a mitigation measure relating to extension of Measure Y sunset:

“Mitigation Measure TRA-1: Extend timeframe of General Plan Transportation and Circulation Element Policy TC-Xa

The Board of Supervisors shall review and consider an extension to Policy TC-Xa of the Transportation and Circulation Element of the General Plan prior to its expiration on December 31, 2018. The intent of this measure is to ensure that the current mitigation policies of TC-Xa are applied to future discretionary development within the TGPA/ZOU areas should the Board of Supervisors conclude the measures are still appropriate for development in El Dorado County.

The first line of Policy TC-Xa will be amended as follows.

Policy TC-Xa. The following policies shall remain in effect until December 31, 2018. These policies will be automatically extended indefinitely beyond that date unless subsequently repealed or amended by majority vote of El Dorado County’s electorate.”

(Note Attachment B - El Dorado County TGPA/ZOU, Final Program EIR, dated December 2015, p. 3.9-50 [p. 329 of .pdf])

Table TC-2 (List of Roads Allowed to Operate at LOS F):

County Counsel and staff advised the Board in the Measure E memo dated August 9, 2016, that Table TC-2 was extended by adoption of the Measure E amendment to Policy TC-Xa 2. Staff should analyze and provide recommendations to the Board as to whether any specific action is required to memorialize this change to the General Plan. (Note Attachment C - Measure E Memo/14-1054 4A, p. 7 of 96)

Options for TC-Xa 3 Sunset Date Extension:

The Board has at least three options to be aware of:

- 1) The Board could do nothing and allow the policy to expire;
- 2) The Board could by its own action extend the sunset date; and
- 3) The Board could put the matter on the ballot for the voters to decide.

The extension of Policy TC-Xa 3 will ensure that the County continues to fully fund road improvements to mitigate impacts of new development and to maintain the required Level of Service (LOS) on county roadways.

ALTERNATIVES:

No action will result in expiration of Measure Y Policy TC-Xa 3 on December 31, 2018.

OTHER DEPARTMENT/AGENCY INVOLVEMENT

CAO, County Counsel, Community Development Services, Planning and Building Department of Long Range Planning.

FISCAL IMPACT

Address the cost and staff time revising the County's CIP/TIM Fee Program.

STRATEGIC PLAN COMPONENT

Implementation measures in the County General Plan. Therefore, this Project supports the County's strategic goal related to Good County Governance, Economic Development, Infrastructure, and Healthy Communities.