



## Legislation Details (With Text)

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**File created:** 9/11/2018      **In control:** Board of Supervisors

**On agenda:** 10/9/2018      **Final action:** 10/9/2018

**Title:** Community Development Services, Planning and Building Department, Long Range Planning recommending that the Board authorize the Chair to sign the updated Memorandum of Understanding between El Dorado County and the Tahoe Regional Planning Agency, which includes additional delegated permitting authority to the County with the goal to provide enhanced customer service.

**FUNDING:** No funding associated with this item.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. A - CRS TRPA MOU, 2. B - EDC TRPA MOU Final, 3. Executed MOU

Date	Ver.	Action By	Action	Result
10/9/2018	1	Board of Supervisors	Approved	Pass

Community Development Services, Planning and Building Department, Long Range Planning recommending that the Board authorize the Chair to sign the updated Memorandum of Understanding between El Dorado County and the Tahoe Regional Planning Agency, which includes additional delegated permitting authority to the County with the goal to provide enhanced customer service.

**FUNDING:** No funding associated with this item.

**DISCUSSION / BACKGROUND**

The subject Memorandum of Understanding (MOU) between El Dorado County and the Tahoe Regional Planning Agency (TRPA) would consolidate two existing delegation MOUs between the County and TRPA and provide additional delegated permitting authority to the County within the adopted Meyers Area Plan and throughout the County. Additional delegated permitting authority would be consistent with the provisions of Chapter 13: *Area Plans* of the TRPA Code of Ordinances and would require that all activities be reviewed and approved in accordance with the TRPA Regional Plan and Code. The additional permitting authority would be added in increments over time as outlined in the MOU and would not be effective until, (1) County staff has received additional training, and (2) procedural guidelines detailing the procedures for the review and reporting of delegated activities are finalized. The new procedural guidelines would supersede the existing procedural guidelines that were developed in 1997. The primary goal of the MOU is to enhance customer service.

On February 28, 2018, the TRPA Governing Board approved the Meyers Area Plan in El Dorado County, California. On March 20, 2018 the County’s Board of Supervisors approved the Meyers Area Plan. TRPA Code, Section 13.7, requires TRPA and local jurisdictions make a good-faith effort to complete MOUs that specify the extent to which activities and projects will be delegated to the local jurisdiction within six months of Area Plan adoption. In response, TRPA and El Dorado County staff

have been working on an MOU for the Meyers Area Plan and the remainder of El Dorado County within the Tahoe Region.

The County and TRPA currently have three MOUs in place, which allow the County to review and permit various activities on behalf of TRPA, and to conduct work within the County's right-of-way. The proposed MOU would supersede and replace the first two MOUs (Appendix W & JJ) listed below. The Public Works MOU (Appendix Z) would remain in effect.

- 1) **El Dorado Residential 1992 MOU (Appendix W).** This MOU delegated to the County new construction, modification or additions to single-family dwellings and multi-family dwellings (up to four units) and residential qualified exempt activities. The MOU is currently in effect.
- 2) **El Dorado County 2000 MOU (Appendix JJ).** This MOU delegated to the County additional permit types, such as signs, temporary activities, uses and structures, and multi-person dwellings. In 2008, during the economic recession, the El Dorado County Board of Supervisors voted to suspend Appendix JJ and, as a result, TRPA took back permitting authority for the activities listed in the MOU.
- 3) **El Dorado MOU for Public Works (Appendix Z).** This MOU delegated to the County road maintenance and snow removal types of activities. This MOU is currently in effect.

The above-mentioned MOUs are available at: <http://www.trpa.org/permitting/mous/>

The proposed MOU specifies the activities that could be delegated to the County within an Area Plan (MOU Attachment B) and outside of an Area Plan (MOU Attachment C). Permit delegation would occur in phases as specified in the MOU Schedule.

### MOU Schedule

**Phase I:** Upon execution of the MOU, the County would continue permitting activities currently permitted by the County, such as single-family residential development, multi-family residential development (up to four units), and residential qualified exempt activities (Activities 1- 9 in MOU Attachments B and C). TRPA would continue to review residential projects in the shoreland subject to a TRPA Scenic Review.

**Phase II:** Following the development of new procedural guidelines, updated fee schedules and staff training, the County anticipates requesting taking on the permitting of new activities (Activities 10 - 20 in MOU Attachments B and C), such as temporary activities, structures, and uses, signs, commercial and multi-family land capability verifications, and commercial/tourist qualified exempt activities. El Dorado and TRPA staff anticipate permit delegation will occur within one year of MOU adoption.

**Phase III:** El Dorado County anticipates a request to TRPA for delegation of review and approval of remaining activities listed in MOU Attachments B and C, in part or whole, over the term of the MOU. This would include one additional permit type, multi-family residential development greater than four units, outside of an Area Plan and small and large multi-family residential, commercial, public service, recreation and tourist projects within an Area Plan.

## ALTERNATIVES

N/A

**OTHER DEPARTMENT / AGENCY INVOLVEMENT**

TRPA

**CAO RECOMMENDATION**

It is recommended that the Board approve the item.

**FINANCIAL IMPACT**

No financial impact in the short term. As additional permitting authority is delegated over time, the County may need to adjust its Fee Schedule to recover the full cost of conducting the permitting activities.

**CLERK OF THE BOARD FOLLOW UP ACTIONS**

Forward two signed copies of the MOU to Long Range Planning.

**STRATEGIC PLAN COMPONENT**

Good Governance

**CONTACT**

Brendan Ferry, Principal Planner, (530) 573-7905