



## Legislation Details (With Text)

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**Title:** Community Development Agency, in coordination with the Chief Administrative Office and County Counsel, providing an update from the August 30, 2016, Board hearing concerning the impacts of Measure E General Plan Policy Amendments on:  
 1) Sites identified in the 2013-2021 Housing Element Adequate Site Inventory necessary to satisfy the County's Regional Housing Needs Allocation and potential measures that maintain General Plan consistency; and  
 2) Discuss California Environmental Quality Act questions, other General Plan consistency concerns, and possible impacts to staff resources and the County budget. (Est. Time: 4 Hr.)

FUNDING: N/A

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. 7A - Staff Memo BOS 12-12-16, 2. 7B - Housing Element Presentation 12-12-16, 3. Public Comment Rcvd 12-12-16 BOS 12-12-16, 4. 6A - Board Memo 10-28-16, 5. 6B - TDM & CIP TIM Fee Update Workshop dates 10-28-16, 6. 6B - Revised TDM & CIP TIM Fee Update Workshop dates 10-28-16, 7. 6C - 10/11/16 Caltrans LOS Letter 10-28-16, 8. 6D - Press Release for 10-10-16 Presentation 10-28-16, 9. 6E - 10/10/16 LOS TDM Presentation 10-28-16, 10. 6F - Response to Public Comments, 11. 6G - Level of Service and the County's Travel Demand Model Presentation 10-28-16, 12. Public Comment Rcvd 10-25-16 BOS 10-28-16, 13. 5A - Draft Resolution 8-30-16, 14. 5B - TDM and LOS 8-30-16, 15. 5C - Measure E Presentation 8-30-16, 16. Public Comment Rcvd 8-30-16 BOS 8-30-16, 17. Public Comment Rcvd 8-29-16 BOS 8-30-16, 18. Public Comment Rcvd 8-26-16 BOS 8-30-16, 19. Public Comment Rcvd 8-25-16 BOS 8-30-16, 20. Public Comment Rcvd 8-23-16 BOS 8-30-16, 21. 4A - Measure E Memo 8-9-16, 22. 4B - Measure E PPT 8-9-16, 23. Public Comment Rcvd 8-9-16 BOS 8-9-16, 24. Public Comment Rcvd 8-8-16 BOS 8-9-16, 25. 3A - Blue Route 02-23-16, 26. 3B - Resolution 02-23-16, 27. 3C - Exhibit A 02-23-16, 28. Executed Resolution 019-2016, 29. Public Comment Rcvd 2-23-16 BOS 2-23-16, 30. Public Comment Rcvd 2-19-16 BOS 2-23-16, 31. 2A - Elections Code Section 9111 Report 8-26-14, 32. Public Comment Rcvd 8-26-14 BOS 8-26-14, 33. A - Certification of Petition 7-29-14, 34. B - Initiative - 7-29-14, 35. Public Comment Rcvd 7-29-14 BOS 7-29-14

Date	Ver.	Action By	Action	Result
12/12/2016	7	Board of Supervisors	No Formal Action	
10/28/2016	6	Board of Supervisors	Received and Filed	
8/30/2016	5	Board of Supervisors	Failed	
8/30/2016	5	Board of Supervisors	Approved	Pass
8/9/2016	4	Board of Supervisors		
2/23/2016	3	Board of Supervisors	Approved	Pass
8/26/2014	2	Board of Supervisors	Approved	Pass
7/29/2014	1	Board of Supervisors	Approved	Pass

Community Development Agency, in coordination with the Chief Administrative Office and County Counsel, providing an update from the August 30, 2016, Board hearing concerning the impacts of Measure E General Plan Policy Amendments on:

- 1) Sites identified in the 2013-2021 Housing Element Adequate Site Inventory necessary to satisfy the County's Regional Housing Needs Allocation and potential measures that maintain General Plan consistency; and
- 2) Discuss California Environmental Quality Act questions, other General Plan consistency concerns, and possible impacts to staff resources and the County budget. (Est. Time: 4 Hr.)

**FUNDING:** N/A

#### **DEPARTMENT RECOMMENDATION**

Community Development Agency (CDA), in coordination with the Chief Administrative Office and County Counsel, providing an update from the August 30, 2016, Board hearing concerning the impacts of Measure E General Plan Policy Amendments on:

- 1) Sites identified in the 2013-2021 Housing Element Adequate Site Inventory necessary to satisfy the County's Regional Housing Needs Allocation (RHNA) and potential measures that maintain General Plan consistency ; and
- 2) Discuss California Environmental Quality Act (CEQA) questions, other General Plan consistency concerns, and possible impacts to staff resources and the County budget.

#### **DISCUSSION / BACKGROUND**

On June 7, 2016, El Dorado County voters passed voter initiative Measure E, ("Reinstate Measure Y's Original Intent - No More Paper Roads"), which became effective on July 29, 2016, ten days after the vote was declared by the Board. Measure E amended General Plan Transportation and Circulation Element Policies TC-Xa, TC-Xf, and TC-Xg.

On August 9, 2016 (Item 1), the Board held a public workshop to discuss options to interpret and implement Measure E, consistent with applicable policies, regulations, and laws. At the conclusion of the workshop, the Board directed staff to return with interpretive guidelines generally in accordance with recommendations in the August 9, 2016, Staff Memorandum (Attachment 4A).

On August 30, 2016 (Item 32), staff returned to the Board with a draft Resolution proposing interim guidelines for interpreting Measure E. One of the Board's directives to staff was to return to the Board with an update and additional information concerning the effects of Measure E on the sites identified in the Housing Element necessary to satisfy the County's RHNA.

Based upon an analysis of the adequate site inventory contained in the County's Housing Element of the General Plan prepared by staff and discussed further in this Report, it was determined that the Measure E amendments may create potential regulatory barriers and economic constraints in meeting the County's RHNA. California Government Code Section 65863 requires an inventory of adequate sites available to meet the RHNA to be maintained throughout the planning period. In addition, Government Code Section 65913.1 imposes a duty on local government bodies, in exercising their zoning authority and revising their housing elements, to designate and zone sufficient vacant land for residential use with appropriate standards. The attached Staff Memorandum [Attachment 7A] provides additional background and discussion of Measure E's potential effects on the General Plan Housing Element and the County's RHNA. Measure E's impact on other General Plan Elements are summarized in Exhibit B.

The August 30, 2016, Board action included questions on CEQA, General Plan consistency, and the

potential impact on staff resources and the County budget.

CEQA is a State law that requires the disclosure of environmental impacts of a project. In the case of the previously proposed interpretation of Measure E presented on August 30, 2016, there would be no environmental impacts and the adoption of the interpretations could be deemed exempt from CEQA pursuant to Section 15061(b), because CEQA only applies to projects that have the potential to significantly effect the environment.

The County has a responsibility to adopt and maintain a General Plan that meets State planning requirements and balances local policies of land use, economics, social, and environmental issues. Measure E amended General Plan Transportation Element Policies and may have consequences that affect the implementation of other General Plan goals and objectives.

The Board inquired about the impact from Measure E on the County budget. There are few factors at this time by which to gauge the impact on the County budget, and most significant impacts could result from future staff work. CDA has identified approximately \$100,000 in staff labor hours in the review and implementation of Measure E, through August 30, 2016. Although not as significant, similar costs were borne by the CAO and County Counsel offices.

It is recommended that the Board consider the options provided, as well as any other options not included here, and provide direction to staff regarding the Board's preferences for next steps as they relate to the Housing Element. Following the Board's discussion and consideration of Measure E implementation avenues for General Plan Housing Element consistency and, with Board direction, staff will return to the Board with information regarding the requirements to implement the Board's direction including, but not limited to: estimated staff resource requirements, estimated cost and budget impact, and estimated timeline. This may include amendments to County adopted plans, ordinances, programs, and environmental review, if required.

## **ALTERNATIVES**

N/A

## **OTHER DEPARTMENT / AGENCY INVOLVEMENT**

N/A

## **CAO RECOMMENDATION**

Consider options and provide direction to staff, as necessary.

## **FINANCIAL IMPACT**

There is no immediate or direct fiscal impact to the County resulting from the proposed discussion. Possible impacts to staffing resources and related budget impacts will be assessed based on direction provided to staff.

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

Receive and file Staff Memorandum

## **STRATEGIC PLAN COMPONENT**

Good Governance - Measure E Amendments to General Plan TC-X policies potentially constrains the County's ability to meet the statutory requirements (i.e., rule of the law) to accommodate the County's fair share of the RHNA and maintain adequate sites for multi-family development at all income levels.

Economic Development - Measure E potentially constrains the County's ability to provide diverse workforce housing options.

Healthy Communities - Measure E Amendments to General Plan TC-X policies potentially constrains the County's ability to integrate the well-being and self-sufficiency of El Dorado County residents into the land use planning process.

Infrastructure - Measure E Amendments to General Plan TC-X policies potentially constrains the County's ability to meet the statutory requirements for General Plan compliance with State law.

**CONTACT**

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